

Royal Gazette

Part II Regulations under the Regulations Act

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April 19, 2013

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Please note: N.S. Reg. 68/2013 to N.S. Reg. 177/2013 were published in a special issue of the *Royal Gazette Part II* dated April 12, 2013.

In force date of regulations: As of March 4, 2005*, the date a regulation comes into force is determined by subsection 3(6) of the *Regulations Act*. The date a regulation is made, the date a regulation is approved, the date a regulation is filed and any date specified in a regulation are important to determine when the regulation is in force.

*Date that subsections 3(6) and (7) and Sections 11 and 13 of the *Regulations Act* and amendments to the *Regulations Act* made by Chapter 46 of the Acts of 2004 were proclaimed in force.

N.S. Reg. 63/2013

Made: March 26, 2013

Filed: March 27, 2013

Proclamation—General Assembly

General Assembly
Proclamation dated March 26, 2013

PROVINCE OF NOVA SCOTIA

sgd: **J.J. Grant**

G/S

ELIZABETH THE SECOND, by the Grace of God,
of the United Kingdom, Canada and Her Other
Realms and Territories, Queen, Head of the
Commonwealth, Defender of the Faith.TO ALL TO WHOM THESE PRESENTS SHALL COME, OR WHOM THE SAME MAY IN ANY WISE
CONCERN,

GREETING:

A PROCLAMATION

WHEREAS we have been advised by Our Executive Council that it is in the public interest that the Fourth Session of the Sixty-First General Assembly should be prorogued this 26th day of March, A.D., 2013, and that the Fifth Session of the Sixty-First General Assembly should meet on Tuesday, the 26th day of March, A.D., 2013, at two o'clock in the afternoon, for the dispatch of business;

NOW KNOW YE THAT WE, by and with the advice of Our Executive Council, have thought fit to prorogue the Fourth Session of the Sixty-First General Assembly on the 26th day of March, A.D., 2013, and to summon the said General Assembly and do hereby summon the said General Assembly to meet on Tuesday, the 26th day of March, A.D., 2013, at two o'clock in the afternoon, for the dispatch of business, of which all persons concerned are to take notice and govern themselves accordingly.

IN TESTIMONY WHEREOF We have caused these
our Letters to be made Patent and the
Great Seal of Nova Scotia to be
hereunto affixed.

WITNESS, Our Trusty and Well Beloved His Honour
Brigadier-General, the Honourable J.J. Grant
(Retired), Lieutenant Governor of the Province of
Nova Scotia.

AT Our Government House in the Halifax Regional
Municipality, this 26th day of March in the year
of Our Lord two thousand and thirteen and in the
sixty-second year of Our Reign.

BY COMMAND:

Signed: Ross Landry
Provincial Secretary
Minister of Justice and Attorney General

N.S. Reg. 64/2013

Made: March 28, 2013

Filed: March 28, 2013

Proclamation, S. 93, Sch. B, S.N.S. 2012, c. 4

Order in Council 2013-102 dated March 28, 2013

Proclamation made by the Governor in Council

pursuant to Section 93 of Schedule B of the

Financial Measures (2012) Act

The Governor in Council on the report and recommendation of the Minister of Finance dated March 19, 2013, and pursuant to Section 93 of Schedule B of Chapter 4 of the Acts of 2012, the *Financial Measures (2012) Act*, and subsection (7) of Section 3 of Chapter 235 of the Revised Statutes, 1989, the *Interpretation Act*, is pleased to order and declare by proclamation that Schedule B of Chapter 4 of the Acts of 2012, the *Financial Measures (2012) Act*, except Section 60, do come into force on and not before April 1, 2013.

PROVINCE OF NOVA SCOTIA

sgd: J. Michael MacDonald

G/S

ELIZABETH THE SECOND, by the Grace of God,
of the United Kingdom, Canada and Her Other
Realms and Territories, Queen, Head of the
Commonwealth, Defender of the Faith.

TO ALL TO WHOM THESE PRESENTS SHALL COME, OR WHOM THE SAME MAY IN ANY WISE
CONCERN,

GREETING:

A PROCLAMATION

WHEREAS in and by Section 93 of Schedule B of Chapter 4 of the Acts of 2012, the *Financial Measures (2012) Act*, it is enacted as follows:

- 93** This Act comes into force on such day as the Governor in Council orders and declares by proclamation.

AND WHEREAS it is deemed expedient that Schedule B of Chapter 4 of the Acts of 2012, the *Financial Measures (2012) Act*, except Section 60, do come into force on and not before April 1, 2013;

NOW KNOW YE THAT WE, by and with the advice of the Executive Council of Nova Scotia, do by this Our Proclamation order and declare that Schedule B of Chapter 4 of the Acts of 2012, the *Financial Measures (2012) Act*, except Section 60, do come into force on and not before April 1, 2013, of which all persons concerned are to take notice and govern themselves accordingly.

IN TESTIMONY WHEREOF We have caused these
our Letters to be made Patent and the
Great Seal of Nova Scotia to be
hereunto affixed.

WITNESS, Our Trusty and Well Beloved His Honour
the Honourable J. Michael MacDonald,
Administrator of the Government of the Province
of Nova Scotia.

AT Our Law Courts in the Halifax Regional Municipality, this 28th day of March in the year of Our Lord two thousand and thirteen and in the sixty-second year of Our Reign.

BY COMMAND:

sgd: Ross Landry
Provincial Secretary
Minister of Justice and Attorney General

N.S. Reg. 65/2013

Made: March 28, 2013

Filed: March 28, 2013

Proclamation, S. 46, Sch. A, S.N.S. 2012, c. 4

Order in Council 2013-103 dated March 28, 2013
Proclamation made by the Governor in Council
pursuant to Section 46 of Schedule A of the
Financial Measures (2012) Act

The Governor in Council on the report and recommendation of the Minister of Finance dated March 19, 2013, and pursuant to Section 46 of Schedule A of Chapter 4 of the Acts of 2012, the *Financial Measures (2012) Act*, is pleased to order and declare by proclamation that Schedule A of Chapter 4 of the Acts of 2012, the *Financial Measures (2012) Act*, being the *Nova Scotia Pension Services Corporation Act*, do come into force on and not before April 1, 2013.

PROVINCE OF NOVA SCOTIA

sgd: J. Michael MacDonald

G/S

ELIZABETH THE SECOND, by the Grace of God,
of the United Kingdom, Canada and Her Other
Realms and Territories, Queen, Head of the
Commonwealth, Defender of the Faith.

TO ALL TO WHOM THESE PRESENTS SHALL COME, OR WHOM THE SAME MAY IN ANY WISE CONCERN,

GREETING:

A PROCLAMATION

WHEREAS in and by Section 46 of Schedule A of Chapter 4 of the Acts of 2012, the *Financial Measures (2012) Act*, it is enacted as follows:

- 46** This Act comes into force on such day as the Governor in Council orders and declares by proclamation.

AND WHEREAS it is deemed expedient that Schedule A of Chapter 4 of the Acts of 2012, the *Financial Measures (2012) Act*, being the *Nova Scotia Pension Services Corporation Act*, do come into force on and not before April 1, 2013;

NOW KNOW YE THAT WE, by and with the advice of the Executive Council of Nova Scotia, do by this Our Proclamation order and declare that Schedule A of Chapter 4 of the Acts of 2012, the *Financial Measures (2012) Act*, being the *Nova Scotia Pension Services Corporation Act*, do come into force on and not before April 1, 2013, of which all persons concerned are to take notice and govern themselves accordingly.

IN TESTIMONY WHEREOF We have caused these our Letters to be made Patent and the Great Seal of Nova Scotia to be hereunto affixed.

WITNESS, Our Trusty and Well Beloved His Honour the Honourable J. Michael MacDonald, Administrator of the Government of the Province of Nova Scotia.

AT Our Law Courts in the Halifax Regional Municipality, this 28th day of March in the year of Our Lord two thousand and thirteen and in the sixty-second year of Our Reign.

BY COMMAND:

sgd: Ross Landry
Provincial Secretary
Minister of Justice and Attorney General

N.S. Reg. 66/2013 to 67/2013

Made: March 28, 2013

Filed: March 28, 2013

Public Service Superannuation Plan Regulations and
Supplementary Pension Regulations

Order in Council 2013-104 dated March 28, 2013
Regulations, repeal of regulations and amendment to regulations
made by the Governor in Council pursuant to Sections 86 and 87
of Schedule B, the *Public Service Superannuation Act*, to
the *Financial Measures (2012) Act*

The Governor in Council on the report and recommendation of the Minister of Finance dated March 19, 2013, and pursuant to Sections 86 and 87 of Schedule B, the *Public Service Superannuation Act*, to Chapter 4 of the Acts of 2012, the *Financial Measures (2012) Act*, is pleased to, effective on and after April 1, 2013,

- (a) pursuant to Section 87 of the *Public Service Superannuation Act*, make initial regulations respecting the public service superannuation plan in the form set forth in Schedule "A" attached to and forming part of the report and recommendation, and repeal the following regulations:
- (i) the Regulations Respecting Canada Pension Plan Integration, N.S. Reg. 32/65, made by the Governor in Council by Order in Council dated December 31, 1965;
 - (ii) the *Deferred and Reduced Superannuation Allowance Regulations*, N.S. Reg. 16/90, made by the Governor in Council by Order in Council 90-41 dated January 16, 1990;
 - (iii) the *Interest Rates and Calculation Regulations*, N.S. Reg. 419/2007, made by the Governor in Council by Order in Council 2007-578 dated November 6, 2007;
 - (iv) the Regulations Respecting Long Term Disability Income, N.S. Reg. 237/85, made by the Governor in Council by Order in Council 85-1403 dated December 17, 1985;

- (v) the *Part-Time Employees Regulations*, N.S. Reg. 71/2009, made by the Governor in Council by Order in Council 2009-141 dated March 30, 2009;
 - (vi) the *Regulations Respecting Purchase of Prior Service*, N.S. Reg. 24/77, made by the Governor in Council by Order in Council 77-274 dated March 29, 1977;
 - (vii) the *Purchase of Prior Service with a Public Authority Regulations*, N.S. Reg. 13/2009, made by the Governor in Council by Order in Council 2009-30 dated January 28, 2009; and
 - (viii) the *Public Service Superannuation Plan Regulations*, N.S. Reg. 166/2010, made by the Governor in Council by Order in Council 2010-409 dated November 9, 2010; and
- (b) pursuant to Section 86 of the *Public Service Superannuation Act*, amend the *Supplementary Pension Regulations*, N.S. Reg. 421/2007, made by the Governor in Council by Order in Council 2007-579 dated November 6, 2007, in the manner set forth in Schedule “B” attached to and forming part of the report and recommendation.

N.S. Reg. 66/2013

Public Service Superannuation Plan Regulations

Schedule “A”

**Regulations Respecting the Public Service Superannuation Plan
made under Section 87 of Schedule “B”, the *Public Service
Superannuation Act*, to Chapter 2[4] of the Acts of 2012,
the *Financial Measures (2012) Act***

Interpretation

Citation

1 These regulations may be cited as the *Public Service Superannuation Plan Regulations*.

Definitions

2 In these regulations,

“Act” means the *Public Service Superannuation Act*;

“allowance earned during the marriage” or “allowance earned during a marriage” means the allowance earned by a plan member throughout a period during which the plan member and another person were spouses;

“average year’s maximum pensionable earnings” means the average year’s maximum pensionable earnings during the period covered by the highest average salary;

“court” means the Trial Division of the Supreme Court;

“fiscal year” means a 12-month period ending on March 31;

“highest average salary” means the highest average salary as calculated under Section 30;

“interest” means interest at a rate determined in accordance with Sections 45 to 48, as applicable;

“maximum retirement age” means the age specified in the *Income Tax Act* (Canada) at which a plan member’s superannuation allowance must begin to be paid under these regulations;

“normal retirement date” means the last day of the month in which a plan member turns 65 years old;

“overtime” means hours worked in excess of the normal full-time weekly hours or normal full-time biweekly hours specified for the same position or a comparable position;

“participating employer” means an employer, other than the Province, who participates in the Pension Plan and includes those bodies prescribed in Appendix 2;

“part-time employee” means an employee who meets all of the following criteria:

- (i) they are employed less than full-time,
- (ii) they regularly work at least 40%, but less than 100%, of the full-time hours specified for the same or a comparable position, or a higher minimum percentage of hours specified in a collective agreement applicable to the person for the purposes of determining eligibility for Pension Plan membership,
- (iii) they would be a member if they were employed full-time;

“plan member” means a member or former member;

“public authority” means any of the following:

- (i) the Government of Canada,
- (ii) the government of a province of Canada,
- (iii) the government of a municipality in Canada,
- (iv) an authority or association of authorities in Canada that operates a university, hospital or public institution, and includes a representative of the authority or authorities,
- (v) a corporation or body determined by the Trustee to be a public authority for the purposes of these regulations;

“qualifying child” means a plan member’s child who is under

- (i) 18 years old, or
- (ii) 25 years old, if the child meets both of the following:
 - (A) the child is in full-time attendance at an educational institution determined by the Trustee to be an educational institution for the purposes of these regulations, and
 - (B) the child annually submits evidence of their attendance in a form satisfactory to the Trustee;

“related plan” means a defined benefit registered pension plan of either of 2 employers who, for the purposes of the *Income Tax Act* (Canada), do not deal at arm’s length with each other;

“year’s maximum pensionable earnings” means the ‘Year’s Maximum Pensionable Earnings’ within the meaning of the *Canada Pension Plan*.

Definition of “employee who first commences employment on or after April 6, 2010”

- 3 (1) In these regulations, “employee who first commences employment on or after April 6, 2010” means a person who was not an employee or a member on April 5, 2010, and who first becomes an employee on or after April 6, 2010, but does not include an employee excluded under subsection (2).
- (2) A person who was not an employee or a member on April 5, 2010, and who meets 1 of the following criteria is excluded from the definition in subsection (1):
- (a) they entered into negotiations with an employer before April 6, 2010, either directly or through a representative or intermediary, regarding employment with the employer, and subsequently became an employee of the employer and entitled to receive compensation from the employer on or before March 31, 2011;
 - (b) their employment by an employer was approved by the Executive Council, either specifically or in principle, before April 6, 2010, and they became an employee of the employer and entitled to receive compensation from the employer on or before March 31, 2011;
 - (c) they were employed by an employer before April 6, 2010, but were subsequently laid off or their employment terminated, and then later become an employee of an employer and entitled to receive compensation from the employer on or before March 31, 2016.
- (3) A determination of whether an employee meets the criteria in subsection (2) is made by the Trustee.

When interest in Pension Plan becomes vested

- 4 A plan member’s interest in the Pension Plan becomes vested under these regulations when they have acquired the following years of eligible service:
- (a) 10 years of service that all accrued before April 1, 1986;
 - (b) 5 years of service, any part of which accrued on or after April 1, 1986, but none of which accrued on or after January 1, 1988;
 - (c) 2 years of service, any part of which accrued on or after January 1, 1988.

Biweekly equivalents used for calculating contributions and allowances

- 5 For purposes of calculating contributions and allowances, figures for salaries and year’s maximum pensionable earnings are converted to their biweekly equivalents.

Participation in Pension Plan

Trustee to provide annual statement to members

- 6 The Trustee must provide each member with an annual statement containing Pension Plan information relevant to the member.

Pension Plan membership of part-time employees

- 7 (1) A part-time employee of the Province must be a member.
- (2) A part-time employee of a participating employer

- (a) must be a member if a collective agreement applicable to the employee requires membership in the Pension Plan;
- (b) may be a member if all of the following conditions are met:
 - (i) the employee and participating employer agree,
 - (ii) the Trustee consents in writing,
 - (iii) membership in the Pension Plan is not precluded by any collective agreement applicable to the employee.
- (3) A part-time employee who becomes a member in accordance with clause (2)(b) must remain a member while employed by the participating employer, as long as the employee continues to qualify for participation in the Pension Plan under these regulations.

When member's employment reduced

- 8** (1) Except as provided in subsection (2), a member who works less than the percentage of hours required by the definition of "part-time employee", nevertheless continues to be a member as long as their employment is continuous and they would be a member if employed full-time.
- (2) Subsection (1) does not apply to an employee if a collective agreement applicable to them prevents it from applying.

Prorating obligations and benefits for part-time employees

- 9** (1) Except as provided in Section 10, contributions made by a part-time employee are calculated based on the contributions they would have made if employed full-time multiplied by the ratio of their actual hours worked, not including overtime, to the hours they would have worked if employed full-time.
- (2) The salary recognized for a part-time employee for the purposes of calculating the highest average salary is the salary they would have earned if employed full-time.
- (3) Except as provided in Section 10, pensionable service for a part-time employee is the service they would have been credited with if employed full-time multiplied by the ratio of their actual hours worked, not including overtime, to the hours they would have worked if employed full-time.
- (4) Eligible service for a part-time employee is the service they would have been credited with if employed full-time.

Contributions based on scheduled hours worked for part-time employees of participating employers

- 10** Contributions and pensionable service for a part-time employee of a participating employer are calculated in accordance with Section 9 based on regularly scheduled hours worked rather than actual hours worked, unless a collective agreement applicable to the employee specifies that actual hours worked apply.

Division of superannuation allowance between spouses

- 11** (1) If a plan member is entitled to, or is receiving, a superannuation allowance, their spouse or former spouse may apply to the court for a division of the allowance earned during the marriage that is attributable to the spouse or former spouse if any of the following has occurred:
- (a) a petition for divorce has been filed;
 - (b) an application for a declaration of nullity has been filed;

- (c) the plan member and the spouse have been living separate and apart and there is no reasonable prospect of resuming cohabitation.
- (2) On application for division of an allowance under subsection (1), the court, having regard to all the circumstances, may order that a spouse or former spouse of a plan member is to receive the proportion of the allowance earned during the marriage that is attributable to them, up to a maximum of 50% of the allowance.
- (3) A subsequent spouse of a plan member's spouse or former spouse is not entitled to any allowance or other benefit under these regulations attributable to the plan member.
- (4) Except as otherwise provided by these regulations, a plan member's spouse or former spouse is not entitled to any benefits attributable to the plan member under the Act or these regulations once a court order dividing the plan member's allowance is issued under this Section.

When divided allowance becomes payable

- 12** (1) A plan member's spouse or former spouse is entitled to payment under a court-ordered division of an allowance under Section 11 effective on the following dates:
- (a) for a spouse or former spouse of a retiree, on the date determined by the court;
 - (b) for a spouse or former spouse of a plan member other than a retiree, on the earliest of the following dates:
 - (i) the date that payment of an allowance to the plan member commences,
 - (ii) the normal retirement date of the plan member,
 - (iii) the date the plan member becomes entitled to an immediate unreduced allowance under these regulations,
 - (iv) the date the plan member dies.
 - (2) When a former member becomes entitled to receive payment of the commuted value of an allowance, a spouse or former spouse who is entitled to the commuted value of their share under a court-ordered division of the allowance may apply to the Trustee for payment.
 - (3) The estate of a plan member's spouse or former spouse is entitled to a refund of the employee's contributions plus interest made in respect of their share under a court-ordered division of the allowance if the spouse or former spouse dies before receiving the allowance.

Death of spouse or plan member does not affect divided allowance

- 13** (1) Despite any other provision of these regulations, a spouse's or former spouse's share of a plan member's allowance under a court-ordered division is not affected by the death of the plan member.
- (2) A plan member's share of an allowance under a court-ordered division is not affected by the death of a spouse or former spouse who is entitled to a share of the allowance under the court-ordered division.

Information to spouse about share of divided allowance

- 14** If requested, the Trustee must provide a plan member's spouse or former spouse with information about their share of a court-ordered division of an allowance.

Matrimonial Property Act settlement

- 15** (1) A court-ordered division of an allowance under Section 11 does not prevent the division of assets under Section 13 of the *Matrimonial Property Act* in settlement of the value of any pension, allowance or other benefit under the Act or these regulations that, because the marriage relationship is terminated, the person will lose the chance of acquiring.
- (2) Sections 11 to 14 do not apply if there is an unequal division of assets under the *Matrimonial Property Act* in accordance with subsection (1).

Obligations of Trustee and Administrator for divided allowances

- 16** The only obligation of the Trustee and the Administrator regarding the division of an allowance earned during a marriage is to make payments in accordance with the court order, upon provision of the order to the Trustee and the Administrator.

Apportionment of allowance between 2 spouses

- 17** (1) If a plan member has 2 spouses at the time of their death, the total amount payable out of the Superannuation Fund to a surviving spouse under the Act and these regulations must be apportioned between the 2 spouses in accordance with the period of time each cohabited with the plan member in a conjugal relationship while the plan member was earning an allowance.
- (2) A person to whom a plan member is married at the time of their death is deemed to be the plan member's sole surviving spouse for the purpose of the Act and these regulations unless another person notifies the Trustee in writing, no later than 12 months after the plan member's death, that the person claims to be a spouse of the deceased plan member.
- (3) To be eligible for an apportionment under subsection (1), a surviving spouse must provide sufficient evidence satisfactory to the Trustee to prove that they are a spouse of a plan member.
- (4) The Trustee is not obligated to make payments to any person claiming to be a surviving spouse of a deceased plan member unless that person notifies the Trustee of the claim in writing no later than 12 months after the plan member's death.
- (5) If 2 surviving spouses of a plan member submit conflicting evidence to the Trustee, the Trustee may decide not to make any payments to the spouses until one or both spouses obtain a court order, at the sole cost of the spouse or spouses, apportioning between them the total amount payable out of the Superannuation Fund to a surviving spouse.
- (6) If 2 surviving spouses of a plan member submit conflicting evidence to the Trustee, the Trustee is not obligated to pay interest to either spouse because of delays caused by the submissions.

Eligible and Pensionable Service**Eligible service**

- 18** Any period of service recognized as pensionable service is eligible service.

Periods of absence at partial pay or without pay

- 19** An authorized period of absence from duty for which an employee receives partial pay or no pay is not counted as pensionable service unless the employee pays a sum equal to the difference between the following into the Superannuation Fund, plus any applicable interest:
- (a) the amount that would have been deducted from the employee's salary if the employee had been receiving full pay during the period of absence;

- (b) the sum actually paid into the Superannuation Fund from the employee's salary during the period of absence.

Transfer of employee to or from public authority

- 20** (1) Any agreement entered into before the date these regulations come into force respecting transferring the service of employees under the former Act to a public authority, or transferring the service of persons who were employed by a public authority from the public authority, is hereby affirmed.
- (2) The Trustee may enter into an agreement with a public authority respecting any of the following:
- (a) transferring employees' service from the Pension Plan to a public authority's pension plan;
 - (b) transferring the service of persons who are employed by a public authority from the authority's pension plan to the Pension Plan.
- (3) An agreement with a public authority under subsection (2) may include any terms and conditions the Trustee considers necessary.

Purchase of prior contributory service with a public authority

- 21** (1) In this Section, "period of prior contributory service with a public authority" means any period an employee was employed full-time by a public authority and was making contributions to a registered pension plan.
- (2) For the purpose of calculating pensionable service, a plan member may receive service credit for all or part of a period of prior contributory service with a public authority, if the plan member meets all of the following conditions:
- (a) they pay into the Superannuation Fund an amount or amounts equal to the Pension Plan's actuarial cost of the service credited, calculated as determined by the Trustee;
 - (b) they satisfy any terms and conditions the Trustee determines necessary.

Credit for prior service

- 22** (1) Any payments or repayments of contributions or a commuted value by an employee under this Section may only be made subject to the *Income Tax Act* (Canada).
- (2) An employee who has not made contributions or has made contributions and has withdrawn them may later pay the employee contributions required at the contribution rate applicable on the date the salary was paid or the date the contributions were withdrawn, together with interest from that date to and including the date the contributions are paid or repaid.
- (3) Unless previously matched by an employer, any contributions paid or repaid by an employee under subsection (2) must be fully matched, at the time they are paid or repaid, by the current employer of the employee.
- (4) Any employee who has been paid a commuted value may repay the commuted value to the Superannuation Fund, together with interest from the date the commuted value was paid to the employee to and including the date the commuted value is repaid.
- (5) Except as provided in subsection (6), an employee who pays or repays employee contributions under subsection (2) or a commuted value under subsection (4) must be credited with a corresponding amount of pensionable service.

- (6) An employee may only acquire pensionable service before they retire, and any prior service that has not actually been paid for before the date the employee receives their last regular pay is not pensionable service.

Member receiving disability benefits

- 23** (1) In this Section, “LTD Plan” means any long-term disability income continuance plan of an employer.
- (2) A member continues to accrue pensionable service while receiving benefit payments under an LTD Plan as long as the contributions required under these regulations continue to be made based on the current rate of salary for the position, class and step the member held immediately before the date they began receiving the benefit payments.
- (3) A member is not eligible to retire while receiving benefit payments under an LTD Plan.

Employee and Employer Contributions

Contribution rates

- 24** (1) For each employee participating in the Pension Plan, an employer must, in each pay period,
- (a) for the employee’s contributions, deduct the amounts set out in subsection (2) from the employee’s salary and pay the amounts into the Superannuation Fund; and
 - (b) for the employer’s contributions, match the amount in clause (a) by paying the amount set out in subsection (2) into the Superannuation Fund from the employer’s own resources.
- (2) The contribution rates for subsection (1) are as follows:
- (a) 8.4% of the amount of an employee’s salary that is equal to or less than the year’s maximum pensionable earnings;
 - (b) 10.9% of the amount of the employee’s salary that exceeds the year’s maximum pensionable earnings.
- (3) The employer’s contribution amount in subsection (1) applies to all contributions made by an employee for which a matching employer contribution has not already been made, and, subject to any limitations on employer contributions expressly set out in the Act or these regulations, these matching contributions must be paid
- (a) by the Province, as employer, by payment out of the General Revenue Fund of the Province for
 - (i) an employee of the Province, and
 - (ii) an employee of a school board, except any school board which by agreement with the Province is responsible for making its own matching payments;
 - (b) by a participating employer.
- (4) Matching employer contributions are not required in respect of any service transferred by an employee under any of the following agreements or arrangements unless provided for in the agreement or arrangement:

- (a) an agreement with a public authority;
- (b) a reciprocal transfer agreement or a similar agreement or arrangement with an entity who is not an employer.

Contributions cease and allowance begins at maximum retirement age

25 (1) Subject to Section 57 of the Act, an employee who is employed after their normal retirement date must make contributions until the earlier of the following dates:

- (a) the date their employment terminates;
 - (b) November 30 of the calendar year in which they reach the maximum retirement age.
- (2)** An employee must begin receiving their superannuation allowance no later than December of the calendar year in which the employee reaches the maximum retirement age.

Retirement Eligibility**Retirement at age 60**

26 A plan member who is 60 years old or more may retire with an unreduced superannuation allowance if their interest in the Pension Plan is vested.

Retirement based on the 'rule of 80' or 'rule of 85'

27 (1) Except as provided in subsection (2), a plan member who is less than 60 years old but more than 50 years old may retire with an unreduced superannuation allowance if

- (a) their interest in the Pension Plan is vested; and
 - (b) their years of eligible service plus their age totals 80 or more.
- (2)** For an employee who first commences employment on or after April 6, 2010, subsection (1) applies with the following changes:
- (a) "50" must be read as "55";
 - (b) "80" must be read as "85".

Early retirement

28 (1) A plan member who is less than 60 years old but more than 55 years old may retire with a reduced superannuation allowance, calculated in accordance with subsection (2), if their interest in the Pension Plan is vested.

- (2)** The amount of an early retirement allowance payable under subsection (1) is the unreduced superannuation allowance the plan member would be entitled to if they were eligible to retire under Section 26 or 27, minus 0.5% for every month or part of a month remaining between the date they retire and the date they would qualify for an unreduced superannuation allowance under Section 26 or 27 based on eligible service as of the date of retirement.

Effective time of retirement

29 Despite any other provision of the Act or these regulations, a plan member's retirement is deemed to be effective as of the last day of the month in which the plan member retires.

Service Allowances

Calculation of highest average salary

- 30 (1) Except as provided in subsection (2), an employee's highest average salary must be calculated using the following formula:

$$\text{HBWS} \div 5$$

in which

HBWS is the total of the employee's 130.5 highest biweekly salaries, or portions thereof, on which the employee made contributions that

- have not been refunded to the employee, or on behalf of the employee, or withdrawn from the Superannuation Fund, or
- if refunded or withdrawn, have been fully repaid to the Superannuation Fund together with any applicable interest.

- (2) The highest average salary for an employee who has made contributions on less than 130.5 biweekly salaries must be calculated in accordance with the following formula:

$$\text{TBWS} \div \text{YES}$$

in which

TBWS is the total of the employee's biweekly salaries on which the employee made contributions that

- have not been refunded to the employee, or on behalf of the employee, or withdrawn from the Superannuation Fund, or
- if refunded or withdrawn, have been fully repaid to the Superannuation Fund together with any applicable interest

YES is the employee's years of eligible service.

- (3) In computing the number of years of eligible service under subsection (2), only the actual number of years and full months of eligible service, expressed as a fraction of a year, are recognized as eligible service.

Calculation of superannuation allowance

- 31 (1) The unreduced annual superannuation allowance payable to a plan member who is less than 65 years old when they retire is the sum of all of the following, calculated in accordance with this Section:

- (a) 1.3% of the plan member's highest average salary up to the average year's maximum pensionable earnings plus 2% of the plan member's highest average salary in excess of the average year's maximum pensionable earnings, multiplied by the plan member's number of years of pensionable service that are also pensionable under the *Canada Pension Plan*;
- (b) 2% of the plan member's highest average salary multiplied by the plan member's number of years of pensionable service that are not pensionable under the *Canada Pension Plan*;

- (c) a bridge benefit payable from the date the superannuation allowance begins until the plan member turns 65 years old, calculated as 0.7% of the plan member's highest average salary up to the average year's maximum pensionable earnings multiplied by the plan member's number of years of pensionable service that are also pensionable under the *Canada Pension Plan*.
- (2) In computing the number of years of pensionable service under subsection (1), only the actual number of years and full months of pensionable service, expressed as a fraction of a year, are recognized as pensionable service.
- (3) The unreduced annual superannuation allowance payable to a plan member who is 65 years old or more when they retire is the sum of the amounts in clauses (1)(a) and (b), calculated in accordance with this Section.
- (4) For greater certainty,
 - (a) if a plan member's total pensionable service includes pensionable service that accrued before January 1, 1966, all of the years of pensionable service accrued before January 1, 1966, must be counted for the purposes of clause (1)(b); and
 - (b) the total amount of the bridge benefit paid under clause (1)(c) includes the total of any accumulated cost of living adjustments applied to the bridge benefit during
 - (i) the period the bridge benefit is paid, and
 - (ii) any period in which the allowance is deferred.
- (5) For an employee who has acquired the maximum number of pensionable service years under Section 57 of the Act, the highest average salary under subsection (1) must include any biweekly salaries, or portions of biweekly salaries, that
 - (a) they earned after acquiring the maximum; and
 - (b) they would have made contributions on if the salaries had been earned before they acquired the maximum.
- (6) In computing the number of years of pensionable service of an employee under subsection (1), the employee must be credited with 1 year of pensionable service for each of the following:
 - (a) a year of service the employee is entitled to for the purpose of a retirement allowance under the *Teachers' Pension Act*, upon the transfer from the Nova Scotia Teachers' Pension Fund to the Superannuation Fund of the amounts determined by Trustee;
 - (b) a university year spent as a full-time teacher in a university in the Province, if the employee applies in writing to the Trustee and pays into the Superannuation Fund the actuarial cost, as determined by the Trustee, of the pensionable service credited to the employee.
- (7) Any pensionable service credited in accordance with Section 13 of the former Act for service in World War II or the Korean Conflict, and payment particulars of a superannuation allowance in respect of the service, remain unaffected by the Act and these regulations.

Payment of allowance in monthly instalments

32 A superannuation allowance and survivor allowance must be paid in monthly instalments.

Minimum superannuation allowance

33 Despite any other provision of the Act or these regulations, if the commuted value of a plan member's superannuation allowance when they retire is less than their contributions plus applicable interest, their superannuation allowance must be increased so that its commuted value is equal to their contributions plus applicable interest.

Lump sum payment of commuted value if benefit small

34 If the commuted value of an allowance payable under the Act and these regulations is less than 2% of the year's maximum pensionable earnings in the last year of their employment, the person entitled to the allowance may elect to receive a lump sum payment of the commuted value of the allowance instead of the allowance.

Termination Benefits**Termination before pension vested**

35 A plan member whose employment terminates before their interest in the Pension Plan is vested may apply in writing for a refund of the contributions they paid, together with interest credited to the last day of the month immediately before the month the Trustee received their application.

Termination after interest in Pension Plan vested

- 36** (1) This Section applies only to plan members whose employment terminates after their interest in the Pension Plan is vested but who are not entitled to an immediate allowance or receiving a superannuation allowance.
- (2) Instead of receiving a deferred allowance, a plan member may require the Trustee to pay the commuted value of the deferred allowance as follows, by notifying the Trustee in the manner the Trustee requires:
- (a) for transfer to a pension fund related to another plan, if the administrator of the other plan agrees to accept the payment;
 - (b) for transfer to a retirement savings arrangement prescribed for the transfer in regulations made under the *Pension Benefits Act*;
 - (c) for the purchase for the plan member of a deferred life annuity under which payments do not begin earlier than 10 years before the plan member's normal retirement date.
- (3) If the commuted value of a plan member's deferred allowance is less than their contributions plus interest credited to the last day of the month immediately before the month the Trustee receives notice under subsection (2), the plan member may request, in addition to payment under subsection (2),
- (a) a refund of the difference, payable to the plan member; or
 - (b) a transfer of the difference, in accordance with subsection (2).
- (4) Despite subsection (2), a plan member may
- (a) request, in writing, a refund of the employee contributions paid by the plan member that relate to pensionable service accrued before January 1, 1988, together with interest credited to the last day of the month immediately before the month in which the Trustee receives the request; and

- (b) require the Trustee to transfer, in accordance with subsection (2), the commuted value of the portion of their deferred allowance that is attributable to pensionable service on or after January 1, 1988.
- (5) Despite anything in this Section, no transfer may be made under this Section except as permitted by the *Income Tax Act* (Canada).

Calculation of commuted value

37 The commuted value referred to in Section 36 must be calculated in accordance with the recommended computation of minimum transfer values of deferred pensions issued by the Canadian Institute of Actuaries, dated December 1987, and any subsequent pronouncement by that body.

Survivor Allowances and Other Death Benefits

Death before interest in Pension Plan vested

38 The surviving spouse, or designated beneficiary or estate, of a plan member who dies before their interest in the Pension Plan is vested may apply in writing for, and must be paid, a refund of the contributions the plan member paid, together with interest credited to the last day of the month immediately before the month the Trustee receives the application.

Death after interest in Pension Plan vested but before retirement

- 39 (1) In this Section, “total superannuation allowance” means the total superannuation allowance calculated under Section 42.
- (2) If a plan member dies after their interest in the Pension Plan is vested but before they retire, then their surviving spouse, qualifying children and dependants are entitled to an immediate survivor allowance, as follows:
- (a) for the plan member’s surviving spouse, an amount equal to 66 2/3% of the total superannuation allowance, payable for life;
 - (b) for each surviving qualifying child, an amount equal to
 - (i) if there is a surviving spouse, 10% of the total superannuation allowance, or a proportionately lesser percentage if there are more than 3 qualifying children, payable until the applicable date set out in subsection (3), not exceeding in the whole 33 2/3% of the total superannuation allowance in respect of all qualifying children,
 - (ii) if there is no surviving spouse or the surviving spouse dies, an equal share of 66 2/3% of the total superannuation allowance, payable until the applicable date set out in subsection (3);
 - (c) if there is no surviving spouse and no qualifying children, for each of the plan member’s dependants, an amount equal to an equal share of 66 2/3% of the total superannuation allowance, payable until the dependant’s mental or physical disability ceases or the dependant dies, whichever occurs first, in which case their share is redistributed among the remaining dependants.
- (3) A survivor allowance paid under this Section to a qualifying child must be paid until the last day of the month in which
- (a) the child turns 18 years old; or

- (b) for a child who is in full-time attendance at an educational institution determined by the Trustee to be an educational institution for the purposes of these regulations and annually submits evidence of their attendance in a form satisfactory to the Trustee, the earlier of
 - (i) the date the child turns 25 years old, and
 - (ii) the date the child ceases to attend an educational institution full-time.

Death after retirement

- 40 (1)** If a plan member dies after they retire, then their surviving spouse, qualifying children and dependants are entitled to an immediate survivor allowance in accordance with Section 39, with the following changes:
- (a) “plan member” in Section 39 must be read as “retiree”;
 - (b) a “surviving spouse” of a retiree means a person who
 - (i) became the retiree’s spouse before the retiree retired, or
 - (ii) became the retiree’s spouse at least 3 years before the retiree’s death.
- (2) In determining whether the 3-year requirement contained in subclause (1)(b)(ii) has been met, a period of cohabitation in a conjugal relationship may be added to a period of legal marriage or registered domestic partnership that immediately follows the period of cohabitation in a conjugal relationship.

Survivor allowances for employee who first commences employment on or after April 6, 2010

- 41** Sections 39 and 40 apply to an employee who first commences employment on or after April 6, 2010, with the following substitutions made to Section 39:
- (a) “66 2/3%” must be read as “60%”;
 - (b) “33 2/3%” must be read as “40%”;
 - (c) “3 qualifying children” must be read as “4 qualifying children”.

Total superannuation allowance for calculating survivor allowances

- 42 (1)** Except as provided in subsection (3), the total superannuation allowance for purposes of calculating survivor allowances payable under Section 39 to a surviving spouse, qualifying child, or dependant is based on the following:
- (a) the superannuation allowance calculated under clause 31(1)(a) for that portion of the plan member’s pensionable service accrued on and after January 1, 1992;
 - (b) the superannuation allowance calculated under clause 31(1)(b) for that portion of the plan member’s pensionable service accrued before January 1, 1992.
- (2) If a retiree dies before turning 65 years old, the total superannuation allowance for the purpose of calculating survivor allowances payable under Section 40 to a surviving spouse, qualifying child or dependant is based on the following:
- (a) until and including the month in which the retiree would have turned 65 years old, the superannuation allowance calculated under subsection 31(1);

- (b) beginning the month immediately after the month in which the retiree would have turned 65 years old, in accordance with clauses 31(1)(a) and (b).
- (3) If a plan member dies after turning 65 years old, the total superannuation allowance for the purpose of calculating a survivor allowance payable under Section 39 or 40 to a surviving spouse, qualifying child or dependant is based on the superannuation allowance calculated under clause 31(1)(a) for all pensionable service.

Payment of allowance to surviving spouse in first 5 years after death

- 43** (1) Despite Sections 39 and 40, payment of a survivor allowance to a surviving spouse within the first 5 years after a plan member dies must be paid in accordance with this Section.
- (2) For the first 5 years after a plan member other than a retiree dies, a surviving spouse of the plan member who is entitled to a survivor allowance under Section 39 must be paid the superannuation allowance that the plan member would have been entitled to receive, calculated as if the plan member qualified for an immediate unreduced superannuation allowance, less any survivor allowance paid to qualifying children.
 - (3) Subject to subsection (4), if a retiree dies within 5 years after retiring, for the remainder of the 5 years since the retiree retired, a surviving spouse of the retiree who is entitled to a survivor allowance under Section 34 must be paid the superannuation allowance that was being paid to the retiree at the date of death less any survivor allowances being paid to qualifying children.
 - (4) If a retiree would have turned 65 years old within 5 years after retiring, the superannuation allowance payable under subsection (3) must be adjusted the month immediately after the month in which the retiree would have turned 65 years old to take into account the end of the bridge benefit in clause 31(1)(c).
 - (5) For greater certainty, clauses 39(2)(a) and (b) apply after the 5-year period referred to in subsections (2) to (4).

Refund payable to designated beneficiary or estate

- 44** If a plan member dies leaving no surviving spouse, qualifying children or dependants, or when the last survivor allowance attributable to a retiree ceases to be paid because there are no persons eligible to continue receiving it, the plan member's designated beneficiary or estate, or the estate of the last person to have been receiving a survivor allowance attributable to the plan member, may apply to the Trustee in writing for payment of, and must be paid the following:
- (a) for a plan member who dies after their interest in the Pension Plan is vested but before they retire, the contributions made by the plan member together with interest credited to the last day of the month immediately before the month in which the Trustee receives the application for payment;
 - (b) for a retiree who dies, and whose contributions together with interest credited to the date of the retiree's retirement exceeds the total of all superannuation allowances and survivor allowances paid in respect of the retiree, the difference between those 2 amounts.

Interest Rates and Calculation

Interest on outstanding amounts payable to the Superannuation Fund

- 45** (1) In this Section, "outstanding amount" means any amount that is payable to the Superannuation Fund under these regulations but for which payment has not been made.

- (2) Unless excepted by the Trustee, an outstanding amount must include interest, in accordance with subsections (3) and (4), for the period from the following applicable date to the date of payment:
 - (a) date the amount was or would have been originally payable;
 - (b) the date the amount was withdrawn from the Superannuation fund.
- (3) For periods before April 1, 2008, interest on any outstanding amounts must be calculated in the manner and at the rate corresponding to the period in which the amount was or would have been originally payable, as set out in Appendix 1.
- (4) Interest on any amount that became or becomes payable on or after April 1, 2008, must be calculated for any fiscal year or part of a year in which the amount payable, or any portion of it, remains an outstanding amount, at the discount rate used to determine the Pension Plan's actuarial liability in the previous fiscal year's actuarial valuation report, compounded semi-annually.

Interest rates for instalment payments

- 46 (1) Payments made to the Superannuation Fund by instalment must include interest, in accordance with the rates in subsection (2).
- (2) The interest rate during the amortized instalment period for payments made by instalment into the Superannuation Fund by employees who are permitted to make payments by instalment to receive credit for pensionable service is
 - (a) for an employee who was permitted before April 1, 2008, to make the payments, 10% per year, compounded semi-annually; and
 - (b) for an employee who was permitted on or after April 1, 2008, to make the payments, the discount rate used to determine the Pension Plan's actuarial liability in the actuarial valuation report from the fiscal year immediately before the fiscal year in which the amortized instalment period begins, compounded semi-annually.
 - (3) Permission to make payments into the Superannuation Fund in instalments to receive credit for pensionable service, as referred to in subsection (2), is at the discretion of the Trustee.

Outstanding balance of instalment contributions and interest upon retirement, termination of employment, or death

- 47 (1) Upon their retirement or termination of employment, an employee who has been paying or repaying required contributions plus interest in instalments to receive credit for pensionable service must pay any remaining balance owed to the Superannuation Fund no later than the date of the employee's retirement or termination of employment, or the date of the employee's last regular pay.
- (2) If an employee does not pay an outstanding balance owed to the Superannuation Fund under subsection (1) in full in accordance with that subsection, the amount of their allowance or other amount to which they are entitled must be adjusted to reflect the amount of pensionable service actually paid for immediately before the date they retire or the date their employment is terminated, including any subsequent payments made by payroll deduction.
 - (3) If an employee who has been paying or repaying required contributions plus interest to receive credit for pensionable service dies owing a balance to the Superannuation Fund, the amount of the allowance or other amount attributable to the employee must be adjusted to reflect the amount of pensionable service actually paid for before the date the employee died, including any subsequent payments made by payroll deduction.

- (4) In this Section, “required contributions” includes an amount previously paid or transferred from the Superannuation Fund to, or on behalf of, the employee.

Interest on amounts payable from the Superannuation Fund

- 48 (1) An amount payable from the Superannuation Fund must include interest calculated in accordance with this Section.
- (2) Interest for a calendar year, or part of a calendar year, on contributions by a plan member that are refunded to, or in respect of, the plan member must be calculated as follows:
- (a) for contributions made on or after January 1, 2008, at a rate equal to the average 5-year personal fixed-term chartered bank administered interest rate, as published by the Bank of Canada, for the 12-month period ending October 31 of the previous calendar year, compounded annually,
 - (b) for contributions made on or after January 1, 1990, to and including December 31, 2007, at a simple interest rate of 10%,
 - (c) for contributions made on or after August 1, 1983, to and including December 31, 1989, at a simple interest rate of 6%.
- (3) Interest on contributions by a plan member that are refunded to, or in respect of, the plan member, is payable on and after January 1 of the year following the year in which the contributions were made, and continues to accrue until the following applicable date:
- (a) the last day of the month in which a refund of contributions is made;
 - (b) the effective date of calculation of the commuted value;
 - (c) the effective date of the plan member’s retirement;
 - (d) the last day of the month immediately before the month in which the plan member dies.
- (4) Interest on any amount payable from the Superannuation Fund other than as described in subsection (2) must be at the rate or rates set out in clause (2)(a).
- (5) In this Section, “contributions” includes all amounts paid or transferred by the plan member to the Superannuation Fund.
- (6) Daily interest does not apply to any amount determined to be payable under this Section.

Appendix 1: Interest Payable on Outstanding Amounts

The following are the rates for interest payable on outstanding amounts under Section 45:

Rates of Interest Payable on Outstanding Amounts		
Time Period		Interest Rate
On and after	To and including	
n/a	December 31, 1958	4% per year, compounded semi-annually
January 1, 1959	December 31, 1969	6% per year, compounded semi-annually
January 1, 1970	September 30, 1978	7% per year, compounded semi-annually
October 1, 1978	March 31, 1982	8.25% per year, compounded semi-annually
April 1, 1982	October 31, 1985	13.15% per year, compounded semi-annually
November 1, 1985	March 31, 2008	10% per year, compounded semi-annually

Appendix 2: Prescribed Employers and Employees

Employers

The following employers are prescribed as employers for the purposes of the definition of “employer” in clause 2(u) of the Act:

- Atlantic Provinces Special Education Authority (APSEA)
- Canada-Nova Scotia Offshore Petroleum Board
- Canadian Union of Public Employees, Local 1867
- Chignecto-Central Regional School Board
- Dalhousie University
- Film and Creative Industries Nova Scotia
- Nova Scotia Business Incorporated
- Nova Scotia Community College
- Nova Scotia Gaming Corporation
- Nova Scotia Government [and General] Employees Union
- Nova Scotia Innovation Corporation (InNOVAcorp)
- Nova Scotia Legal Aid Commission
- Nova Scotia Liquor Corporation
- Nova Scotia Municipal Finance Corporation

- Nova Scotia Pension Services Corporation
- Nova Scotia Utility and Review Board
- Office of Economic Development
- Property Valuation Services Corporation
- Province House Credit Union
- Sydney Tar Ponds Agency (NS)
- Trade Centre Limited
- Université Sainte-Anne
- Waterfront Development Corporation Limited
- Workers' Compensation Board of Nova Scotia

Health Authority Employers:

- Annapolis Valley District Health Authority
- Cape Breton District Health Authority
- Capital District Health Authority
- Colchester East Hants Health Authority
- Cumberland Health Authority
- Guysborough Antigonish–Strait Health Authority
- IWK Health Centre
- Pictou County Health Authority
- South Shore District Health Authority
- South West Nova District Health Authority

Employees

The following employees/classes of employees are prescribed as employees for the purposes of the definition of “employee” in clause 2(t) of the Act:

- deputy ministers, assistant deputy ministers and associate deputy ministers, within the meaning of the *Public Service Act*, unless the terms of their appointment specifically exclude them from participation in the Pension Plan
- any person appointed by the Governor in Council under an enactment to a position in the public service, unless the terms of their appointment specifically exclude them from participation in the Pension Plan
- any person appointed under Section 76 of the *Public Service Act*, unless the terms of their appointment specifically exclude them from participation in the Pension Plan

N.S. Reg. 67/2013

Supplementary Pension Regulations

Schedule “B”

**Amendment to the *Supplementary Pension Regulations*
made by the Governor in Council pursuant to
Section 86 of Schedule “B”, the *Public Service Superannuation Act*, to
Chapter 4 of the Acts of 2012, the *Financial Measures (2012) Act***

- 1 (1) Subsection 2(1) of the *Supplementary Pension Regulations*, N.S. Reg. 421/2007, made by the Governor in Council by Order in Council 2007-579 dated November 6, 2007, is amended by

- (a) striking out “Section 38” in clause (b) and substituting “Section 2”;
 - (b) repealing clause (c);
 - (c) adding “, other than the Province or a school board,” immediately after “employer” in clause (d);
 - (d) striking out “Section 42” in clause (d) and substituting “Section 85”;
 - (e) striking out “Section 39” in clause (d) and substituting “Section 82”; and
 - (f) striking out “Section 39” in clause (f) and substituting “Section 82”.
- (2) Subsection 2(2) of the regulations is amended by
- (a) striking out “Part IV” and substituting “Sections 82 to 85”;
 - (b) repealing clause (a) and substituting the following clause:
 - (a) “Province” means the Government Reporting Entity, as that term is defined in the *Finance Act*, except that it does not include an entity that is a government partnership arrangement, as that term is defined in the *Finance Act*;
 - (c) repealing clause (b).
- 2 Section 3 of the regulations is renumbered as subsection 3(1) and the following subsections added immediately after subsection (1):
- (2) When an employee who is entitled to a superannuation allowance dies, or when a retiree dies, a supplementary pension to which such deceased employee was entitled, or which such deceased retiree was receiving, must be paid to eligible survivors in the same manner and percentage and beginning at the same time as the corresponding survivor allowance.
 - (3) A member’s employer at the time of the member’s retirement or death is responsible for paying the supplementary pension, including any supplementary pension payable to an eligible survivor under subsection (2).
- 3 Section 4 of the regulations is amended by striking out “clause 40(b)” and substituting “clause 83(b)”.
- 4 Section 5 of the regulations is amended by:
- (a) striking out “under the regulations respecting” and substituting “for”; and
 - (b) striking out “made” immediately after “increases”.
- 5 (1) Subsection 7(1) of the regulations is amended by
- (a) striking out “in accordance with Section 27 of the Act” and substituting “in accordance with a court-ordered division of an allowance between spouses under the *Public Service Superannuation Plan Regulations* made under the Act”;

- (b) adding “or if an employee terminates employment and is eligible to receive an immediate superannuation allowance under the Act but does not immediately retire,” immediately before “payment must be made”; and
 - (c) adding “Superannuation” immediately before “Fund” in clause (a).
 - (2) Section 7 of the regulations is further amended by adding “Superannuation” immediately before “Fund” in subsection (5).
- 6
- (1) The heading to Section 8 of the regulations is amended by striking out “Section 39” and substituting “Section 82”.
 - (2) Subsection 8(1) of the regulations is amended by
 - (a) striking out “Section 42” wherever it appears and substituting “Section 85”;
 - (b) adding “Superannuation” immediately before “Fund” wherever it appears;
 - (c) striking out “Section 41” and substituting “Section 84”; and
 - (d) striking out “Section 9” and substituting “*Public Service Superannuation Plan Regulations made under the Act*”.
 - (3) Subsection 8(2) of the regulations is amended by striking out “Section 42” and substituting “Section 85”.
 - (4) Subsection 8(3) of the regulations is amended by striking out “Section 42” and substituting “Section 85”.
 - (5) Subsection 8(4) of the regulations is amended by striking out “Section 42” and substituting “Section 85”.
 - (6) Subsection 8(5) of the regulations is amended by
 - (a) striking out “Section 42” and substituting “Section 85”; and
 - (b) striking out “Section 39” and substituting “Section 82”.
 - (7) Subsection 8(6) of the regulations is amended by striking out “Section 39” and substituting “Section 82”.
 - (8) Subsection 8(7) of the regulations is amended by
 - (a) striking out “Section 42” and substituting “Section 85”;
 - (b) striking out “and the Province of Nova Scotia” and substituting “, the Province and the Pension Plan”; and
 - (c) striking out “Section 39” and substituting “Section 82”.
 - (9) Section 8 of the regulations is further amended by adding the following subsection immediately after subsection (8):

- (9) If an employer that is part of the Government Reporting Entity advised the Minister in writing under Section 42 of the former Act that Section 39 of the former Act does not apply to its employees, then its employees continue to be exempt from Section 82 of the Act as if the employer had given notice under subsection 85(1) of the Act, until the employer revokes its notice in accordance with subsection 85(2) of the Act.

- 7 Section 9 of the regulations is amended by striking out “the Fund under the *Interest Rates and Calculation Regulations*” and substituting “the Superannuation Fund under the *Public Service Superannuation Fund Plan Regulations*”.

N.S. Reg. 178/2013

Made: March 28, 2013

Filed: March 28, 2013

Nova Scotia Affordable Living Tax Credit Regulations

Order in Council 2013-106 dated March 28, 2013
Regulations made by the Governor in Council
pursuant to Section 80 of the *Income Tax Act*

The Governor in Council on the report and recommendation of the Minister of Finance dated March 7, 2013, and pursuant to Section 80 of Chapter 217 of the Revised Statutes of Nova Scotia, 1989, the *Income Tax Act*, is pleased to make regulations respecting the Nova Scotia Affordable Living Tax Credit in the form set forth in Schedule “A” attached to and forming part of the report and recommendation, effective on and after January 1, 2009.

Schedule “A”

**Regulations Respecting the Nova Scotia Affordable Living Tax Credit
made by the Governor in Council under subsection 80(1) of
Chapter 217 of the Revised Statutes of Nova Scotia, 1989,
the *Income Tax Act***

Citation

- 1 These regulations may be cited as the *Nova Scotia Affordable Living Tax Credit Regulations*.

Definitions

- 2 In these regulations,

“Act” means the *Income Tax Act* (Canada);

“adjusted income” means, in respect of an individual for a taxation year, the individual’s adjusted income as defined in subsection 122.5(1) of the Act;

“eligible individual”, in relation to a month specified for a taxation year, means an individual (other than a trust) residing in the Province before the month specified, who

- (i) has, before the month specified, attained the age of 19 years, or
- (ii) was, at any time before the specified month,

- (A) a parent who resided with their child, or
- (B) married or in a common-law partnership;

“eligible spouse” of an eligible individual for a taxation year means an individual who was resident in the Province on the last day of the taxation year and who was the cohabiting spouse or common-law partner of the eligible individual at the end of the taxation year;

“Minister” means the Minister of National Revenue for Canada;

“qualified dependant” means a qualified dependant as defined in subsection 122.5(1) of the Act;

“return of income”, in respect of an eligible individual for a taxation year, means

- (i) for an individual who is resident in the Province at the end of the taxation year, the individual’s return of income, other than a return of income under subsection 70(2) or 104(23), paragraph 128(2)(e) or subsection 150(4) of the Act, that is required to be filed for the taxation year or that would be required to be filed if the person had tax payable under the Act for the taxation year, and
- (ii) in any other case, a prescribed form containing prescribed information that is filed for the taxation year with the Minister.

Deemed payment on account of tax

3 If an eligible individual in relation to a month specified for a taxation year has filed a return of income for the taxation year and applied under subsection 122.5(3) of the Act, the eligible individual for the taxation year is deemed to have paid during the month specified for the taxation year on account of his or her tax payable under this Act for the taxation year an amount equal to $\frac{1}{4}$ of the amount, if any, determined by the formula $(A + B) - C$, in which

- (a) A is
 - (i) \$240 for the 2009 taxation year,
 - (ii) \$245.28 for the 2010 taxation year,
 - (iii) \$255 for the 2011 taxation year;
- (b) B is
 - (i) for the 2009 taxation year, \$57 times the number of qualified dependants of the eligible individual in relation to the month specified,
 - (ii) for the 2010 taxation year, \$58.25 times the number of qualified dependants of the eligible individual in relation to the month specified,
 - (iii) for the 2011 taxation year, \$60 times the number of qualified dependants of the eligible individual in relation to the month specified; and
- (c) C is 5% of the amount, if any, by which the eligible individual’s adjusted income for the taxation year in relation to the month specified exceeds \$30,000.

Advance payment

4 Subsections 122.5(3.1) and (3.2) of the Act apply for the purposes of this Section in respect of an overpayment deemed to arise under Section 3, except that the references to an amount expressed in dollars in subsection 122.5(3.1) must be read as a reference to \$10.

Months specified

5 For the purposes of these regulations, the months specified for a taxation year are July and October of the immediately following taxation year, and January and April of the second immediately following taxation year.

Individuals not eligible

6 Despite Section 2, an individual is not an eligible individual in relation to a month specified for a taxation year, if the individual

- (a) died before the month specified;
- (b) is confined to a prison or similar institution for a period of at least 90 days that includes the first day of the month specified;
- (c) is at the beginning of the month specified an individual described in paragraph 149(1)(a) or (b) of the Act; or
- (d) is a person in respect of whom a special allowance under the *Children's Special Allowances Act* (Canada) is payable for the month specified.

Payment to spouse

7 If an individual eligible for payment under subsection 122.5(3) of the Act dies before the month specified, and if that individual has an eligible spouse who has filed a return of income for the taxation year, the eligible spouse is deemed to be the eligible individual for the purposes of Section 3 for that taxation year and the amount, if any, payable for the month specified is deemed to be an amount paid on account of the individual's eligible spouse's tax payable under the Act for the month specified.

Only 1 eligible individual

8 Despite Section 3, if an eligible individual had an eligible spouse, in relation to a month specified for a taxation year, only 1 of them is an eligible individual in relation to that month, and if both of them claim to be eligible individuals, the individual that the Minister designates is the eligible individual in relation to that month specified.

Notification to Minister

9 An eligible individual must notify the Minister of the occurrence of any of the following events before the end of the month following the month in which the event occurs:

- (a) the individual ceases to be an eligible individual;
- (b) a person ceases to be a qualified dependant of the eligible individual, otherwise than because of attaining the age of 19 years.

Effect of bankruptcy

10 For the purposes of these regulations, if, in a taxation year, an eligible individual becomes bankrupt, the individual's income for that year includes his or her income for the taxation year that begins on January 1 of the calendar year that includes the date of bankruptcy.

When regulations apply

11 These regulations apply for the 2009 and subsequent taxation years.

N.S. Reg. 179/2013

Made: March 28, 2013

Filed: March 28, 2013

Nova Scotia Liquor Corporation Regulations

Order in Council 2013-107 dated March 28, 2013
Amendment to regulations made by the Governor in Council
pursuant to Section 15 of the *Liquor Control Act*

The Governor in Council on the report and recommendation of the Minister responsible for the *Liquor Control Act* dated March 6, 2013, and pursuant to Section 15 of Chapter 260 of the Revised Statutes of Nova Scotia, 1989, the *Liquor Control Act*, is pleased to amend the *Nova Scotia Liquor Corporation Regulations*, N.S. Reg. 22/91, made by the Governor in Council by Order in Council 91-214 dated February 12, 1991, to allow the Corporation to issue a permit under Section 53 of the regulations to a person who has held a permit for at least 10 consecutive years, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after March 28, 2013.

Schedule "A"

**Amendment to the *Nova Scotia Liquor Corporation Regulations*
made by the Governor in Council under Section 15 of
Chapter 260 of the Revised Statutes of Nova Scotia, 1989,
the *Liquor Control Act***

The *Nova Scotia Liquor Corporation Regulations*, N.S. Reg. 22/91, made by the Governor in Council by Order in Council 91-214 dated February 12, 1991, are amended by adding the following subsection immediately after subsection 53(6):

- (7) If the Corporation has issued a permit under this Section to a person for at least 10 consecutive years, the Corporation may issue a permit to that person to operate a retail store for the on-premises sale of liquor even if the person does not meet the requirements of this Section at the time the permit is issued, and the Corporation may determine the terms and conditions of the permit.

N.S. Reg. 180/2013

Made: February 27, 2013

Approved: March 28, 2013

Filed: March 28, 2013

Kilometrage Rates, Monthly Allowances and
Transportation Allowances Regulations

Order in Council 2013-108 dated March 28, 2013
Amendment to regulations made by the Public Service Commission
and approved by the Governor in Council
pursuant to Sections 7 and 45 of the *Civil Service Act*

The Governor in Council on the report and recommendation of the Minister of the Public Service Commission dated February 27, 2013, and pursuant to Sections 7 and 45 of Chapter 70 of the Revised Statutes of Nova Scotia, 1989, the *Civil Service Act*, is pleased to approve of amendments made by the Public Service Commission to the *Kilometrage Rates, Monthly Allowances and Transportation Allowances Regulations*, N.S. Reg. 395/2007, made by the Public Service Commission and approved by the Governor in Council by Order in Council 2007-521 dated September 28, 2007, to provide for certain rates and allowances under the regulations

to match by reference the rates agreed to from time to time between the Government and the Nova Scotia Government and General Employees Union, effective on and after April 1, 2013.

Schedule "A"

The Public Service Commission, pursuant to Sections 7 and 45 of Chapter 70 of the Revised Statutes of Nova Scotia, 1989, the *Civil Service Act*, hereby amends the *Kilometrage Rates, Monthly Allowances and Transportation Allowances Regulations*, N.S. Reg. 395/2007, made by the Public Service Commission and approved by the Governor in Council by Order in Council 2007-521 dated September 28, 2007, to provide for certain rates and allowances under the regulations to match by reference the rates agreed to from time to time between the Government and the Nova Scotia Government and General Employees Union.

This amendment is effective on and after the date of its approval by the Governor in Council.

Dated and made at Halifax, Nova Scotia, Feb. 27th, 2013.

Sgd.: *David Wilson*

Honourable ~~Frank Corbett~~ [David Wilson]

[Acting] Minister of the Public Service Commission

**Amendment to the *Kilometrage Rates, Monthly Allowances
and Transportation Allowances Regulations*
made by the Public Service Commission under Sections 7 and 45 of
Chapter 70 of the Revised Statutes of Nova Scotia, 1989,
the *Civil Service Act***

- 1 Section 2 of the *Kilometrage Rates, Monthly Allowances and Transportation Allowances Regulations*, N.S. Reg. 395/2007, made by the Public Service Commission and approved by the Governor in Council by Order in Council 2007-521 dated September 28, 2007, is amended by adding the following clause immediately after clause (a):
 - (b) "Agreement" means the Civil Service Master Agreement between the Province of Nova Scotia and the Nova Scotia Government and General Employees Union as amended from time to time.
- 2 Sections 4 and 5 of the regulations are repealed and the following Sections substituted:

Kilometrage rates

- 4 Except as provided in Section 5, an employee must be paid for all kilometres that the employee drives in connection with their employment in accordance with the rate established under the Agreement for that class of employee.

Monthly allowances

- 5 (1) Each of the following employees of the Department of Transportation and Infrastructure Renewal must be paid the monthly allowance established under the Agreement for that class of employee instead of the kilometrage rates referred to in Section 4:
 - (a) an engineering survey technician;
 - (b) a project engineer;

- (c) a scale house operator;
 - (d) a road transport inspector.
- (2) An employee who is designated by the Commission as belonging to a class of employment for which availability of a motor vehicle is deemed to be a condition of employment may opt to receive a monthly allowance in accordance with subsection (3) instead of the kilometrage rates referred to in Section 4.
- (3) An employee who opts to receive a monthly allowance under subsection (2) must be paid
- (a) the monthly allowance established under the Agreement for that class of employee; and
 - (b) for all kilometres that the employee drives in connection with their employment, a rate per kilometre as established under the Agreement for that class of employee.
- 3 (1) Subsection 12(1) of the regulations is amended by striking out “of \$9.66 per call” and substituting “per call as established under the Agreement”.
- (2) Subsection 12(2) of the regulations is amended by striking out “of \$8.01 per shift” and substituting “per shift as established under the Agreement”.

N.S. Reg. 181/2013

Made: March 28, 2013

Filed: March 28, 2013

Proclamation, S. 22, S.N.S. 2011, c. 36

Order in Council 2013-109 dated March 28, 2013
Proclamation made by the Governor in Council
pursuant to Section 22 of the
Fish Harvester Organizations Support Act

The Governor in Council on the report and recommendation of the Minister of Fisheries and Aquaculture dated March 6, 2013, and pursuant to Section 22 of Chapter 36 of the Acts of 2011, the *Fish Harvester Organizations Support Act*, is pleased to order and declare by proclamation that Chapter 36 of the Acts of 2011, the *Fish Harvester Organizations Support Act*, do come into force on and not before April 1, 2013.

PROVINCE OF NOVA SCOTIA

sgd: **J. Michael MacDonald**

G/S

ELIZABETH THE SECOND, by the Grace of God,
of the United Kingdom, Canada and Her Other
Realms and Territories, Queen, Head of the
Commonwealth, Defender of the Faith.

TO ALL TO WHOM THESE PRESENTS SHALL COME, OR WHOM THE SAME MAY IN ANY WISE
CONCERN,

GREETING:

A PROCLAMATION

WHEREAS in and by Section 22 of Chapter 36 of the Acts of 2011, the *Fish Harvester Organizations Support Act*, it is enacted as follows:

22 This Act comes into force on such day as the Governor in Council orders and declares by proclamation.

AND WHEREAS it is deemed expedient that Chapter 36 of the Acts of 2011, the *Fish Harvester Organizations Support Act*, do come into force on and not before April 1, 2013;

NOW KNOW YE THAT WE, by and with the advice of the Executive Council of Nova Scotia, do by this Our Proclamation order and declare that Chapter 36 of the Acts of 2011, the *Fish Harvester Organizations Support Act*, do come into force on and not before April 1, 2013, of which all persons concerned are to take notice and govern themselves accordingly.

IN TESTIMONY WHEREOF We have caused these our Letters to be made Patent and the Great Seal of Nova Scotia to be hereunto affixed.

WITNESS, Our Trusty and Well Beloved His Honour the Honourable J. Michael MacDonald, Administrator of the Government of the Province of Nova Scotia.

AT Our Law Courts in the Halifax Regional Municipality, this 28th day of March in the year of Our Lord two thousand and thirteen and in the sixty-second year of Our Reign.

BY COMMAND:

sgd: Ross Landry
Provincial Secretary
Minister of Justice and Attorney General

N.S. Reg. 182/2013

Made: March 28, 2013

Filed: March 28, 2013

Fish Harvester Organizations Support Appeal Regulations

Order in Council 2013-110 dated March 28, 2013
Regulations made by the Governor in Council
pursuant to Section 20 of the *Fish Harvester Organizations Support Act*

The Governor in Council on the report and recommendation of the Minister of Fisheries and Aquaculture dated March 6, 2013, and pursuant to Section 20 of Chapter 36 of the Acts of 2011, the *Fish Harvester Organizations Support Act*, is pleased to make regulations respecting appeals in the form set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after April 1, 2013.

Schedule "A"

**Regulations Respecting Appeals by Fish Harvester Organizations
made by the Governor in Council under
Section 20 of Chapter 36 of the Acts of 2011,
the *Fish Harvester Organizations Support Act***

Citation

1 These regulations may be cited as the *Fish Harvester Organizations Support Appeal Regulations*.

Appeals

2 For the purpose of subsection 10(2) of the *Fish Harvester Organizations Support Act*, an appeal of a decision of the Minister to revoke a fish harvester organization's accreditation must be brought before the Supreme Court of Nova Scotia no later than 30 days after the date of the decision.

N.S. Reg. 183/2013

Made: March 28, 2013

Filed: March 28, 2013

Proclamation, S. 14, S.N.S. 2004, c. 5

Order in Council 2013-111 dated March 28, 2013

Proclamation made by the Governor in Council

pursuant to Section 14 of the

International Interests in Mobile Aircraft Equipment Act

The Governor in Council on the report and recommendation of the Minister of Justice dated February 28, 2013, and pursuant to Section 14 of Chapter 5 of the Acts of 2004, the *International Interests in Mobile Aircraft Equipment Act*, is pleased to order and declare by proclamation that Chapter 5 of the Acts of 2004, the *International Interests in Mobile Aircraft Equipment Act*, do come into force on and not before April 1, 2013.

PROVINCE OF NOVA SCOTIA

sgd: J. Michael MacDonald

G/S

ELIZABETH THE SECOND, by the Grace of God,
of the United Kingdom, Canada and Her Other
Realms and Territories, Queen, Head of the
Commonwealth, Defender of the Faith.

TO ALL TO WHOM THESE PRESENTS SHALL COME, OR WHOM THE SAME MAY IN ANY WISE
CONCERN,

GREETING:

A PROCLAMATION

WHEREAS in and by Section 14 of Chapter 5 of the Acts of 2004, the *International Interests in Mobile Aircraft Equipment Act*, it is enacted as follows:

14 This Act comes into force on such day as the Governor in Council orders and declares by proclamation.

AND WHEREAS it is deemed expedient that Chapter 5 of the Acts of 2004, the *International Interests in Mobile Aircraft Equipment Act*, do come into force on and not before April 1, 2013;

NOW KNOW YE THAT WE, by and with the advice of the Executive Council of Nova Scotia, do by this Our Proclamation order and declare that Chapter 5 of the Acts of 2004, the *International Interests in Mobile Aircraft Equipment Act*, do come into force on and not before April 1, 2013, of which all persons concerned are to take notice and govern themselves accordingly.

IN TESTIMONY WHEREOF We have caused these our Letters to be made Patent and the Great Seal of Nova Scotia to be hereunto affixed.

WITNESS, Our Trusty and Well Beloved His Honour the Honourable J. Michael MacDonald, Administrator of the Government of the Province of Nova Scotia.

AT Our Law Courts in the Halifax Regional Municipality, this 28th day of March in the year of Our Lord two thousand and thirteen and in the sixty-second year of Our Reign.

BY COMMAND:

sgd: Ross Landry
Provincial Secretary
Minister of Justice and Attorney General

N.S. Reg. 184/2013

Made: March 28, 2013

Filed: March 28, 2013

General Wildlife Regulations

Order in Council 2013-112 dated March 28, 2013
Amendment to regulations made by the Governor in Council
pursuant to subsection 113(1) of the *Wildlife Act*

The Governor in Council on the report and recommendation of the Minister of Natural Resources dated March 14, 2013, upon notice of a fee increase having been given in accordance with Section 4 of Chapter 8 of the Acts of 2007, the *Fees Act*, and pursuant to subsection 113(1) of Chapter 504 of the Revised Statutes of Nova Scotia, 1989, the *Wildlife Act*, is pleased to amend the *General Wildlife Regulations*, N.S. Reg. 205/87, made by the Governor in Council by Order in Council 87-1181 dated September 29, 1987, to align the licence expiry date with fiscal year and the annual cycle of all other licences, and to increase the fee for a wildlife habitat stamp, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after April 1, 2013.

Schedule "A"

**Amendment to the *General Wildlife Regulations*
made by the Governor in Council under subsection 113(1)
of Chapter 504 of the Revised Statutes of Nova Scotia, 1989,
the *Wildlife Act***

Section 3A of the *General Wildlife Regulations*, N.S. Reg. 205/87, made by the Governor in Council by Order in Council 87-1181 dated September 29, 1987, is amended by

- (a) striking out "July" in subsection (1) and substituting "March"; and
- (b) striking out "\$3.15" in subsection (2) and substituting "\$5.00".

N.S. Reg. 185/2013

Made: March 28, 2013

Filed: March 28, 2013

Proclamation, S. 13, S.N.S. 2011, c. 35

Order in Council 2013-114 dated March 28, 2013
Proclamation made by the Governor in Council
pursuant to Section 13 of the
Fair Automobile Insurance (2011) Act

The Governor in Council on the report and recommendation of the Minister responsible for the *Insurance Act* dated March 14, 2013, and pursuant to Section 13 of Chapter 35 of the Acts of 2011, the *Fair Automobile Insurance (2011) Act*, and subsection 3(7) of Chapter 235 of the Revised Statutes, 1989, the *Interpretation Act*, is pleased to order and declare by proclamation that Section 6, subsection 7(2) and Sections 8 and 10 to 12 of Chapter 35 of the Acts of 2011, the *Fair Automobile Insurance (2011) Act*, do come into force on and not before April 1, 2013.

PROVINCE OF NOVA SCOTIA

sgd: J. Michael MacDonald

G/S

ELIZABETH THE SECOND, by the Grace of God,
of the United Kingdom, Canada and Her Other
Realms and Territories, Queen, Head of the
Commonwealth, Defender of the Faith.

TO ALL TO WHOM THESE PRESENTS SHALL COME, OR WHOM THE SAME MAY IN ANY WISE
CONCERN,

GREETING:

A PROCLAMATION

WHEREAS in and by Section 13 of Chapter 35 of the Acts of 2011, the *Fair Automobile Insurance (2011) Act*, it is enacted as follows:

- 13** This Act, other than Sections 1 to 3 and subsection 7(1), comes into force on such day as the Governor in Council orders and declares by proclamation.

AND WHEREAS it is deemed expedient that Section 6, subsection 7(2) and Sections 8 and 10 to 12 of Chapter 35 of the Acts of 2011, the *Fair Automobile Insurance (2011) Act*, do come into force on and not before April 1, 2013;

NOW KNOW YE THAT WE, by and with the advice of the Executive Council of Nova Scotia, do by this Our Proclamation order and declare that Section 6, subsection 7(2) and Sections 8 and 10 to 12 of Chapter 35 of the Acts of 2011, the *Fair Automobile Insurance (2011) Act*, do come into force on and not before April 1, 2013, of which all persons concerned are to take notice and govern themselves accordingly.

IN TESTIMONY WHEREOF We have caused these
our Letters to be made Patent and the
Great Seal of Nova Scotia to be
hereunto affixed.

WITNESS, Our Trusty and Well Beloved His Honour
the Honourable J. Michael MacDonald,
Administrator of the Government of the Province
of Nova Scotia.

AT Our Law Courts in the Halifax Regional
Municipality, this 28th day of March in the year
of Our Lord two thousand and thirteen and in the
sixty-second year of Our Reign.

BY COMMAND:

sgd: Ross Landry
Provincial Secretary
Minister of Justice and Attorney General

N.S. Reg. 186/2013

Made: March 28, 2013

Filed: March 28, 2013

Non-Owned Automobile Insurance Liability Regulations

Order in Council 2013-115 dated March 28, 2013
Regulations made by the Governor in Council
pursuant to Sections 148 and 148D of the *Insurance Act*

The Governor in Council on the report and recommendation of the Minister responsible for the *Insurance Act* dated March 14, 2013, and pursuant to Sections 148 and 148D of Chapter 231 of the Revised Statutes of Nova Scotia, 1989, the *Insurance Act* and Section 8 of Chapter 235 of the Revised Statutes of Nova Scotia, 1989, the *Interpretation Act*, is pleased to make regulations respecting priority of payment of automobile insurance policies in claims involving rented and leased vehicles, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after April 1, 2013.

Schedule "A"

**Regulations Respecting Non-Owned Automobile Insurance Liability
made by the Governor in Council under subsections 148(4) and 148D(9) of
Chapter 231 of the Revised Statutes of Nova Scotia, 1989,
the *Insurance Act***

Citation

1 These regulations may be cited as the *Non-Owned Automobile Insurance Liability Regulations*.

Definitions

2 In these regulations,

“Act” means the *Insurance Act*;

“lessee” means a person to whom a motor vehicle is leased;

“rentee” means a person to whom a motor vehicle is rented.

Application to direct compensation for property damage

3 These regulations do not apply to an insured’s right of recovery for direct compensation for property damage under Section 138A of the Act.

Priority of payment for insurance held by lessor or renter

- 4 (1) The order in which the third party liability provisions of any motor vehicle liability policies apply in respect of the following liability must be determined in accordance with this Section and Section 5:
- (a) liability that arises from or occurs in connection with the ownership of a leased or rented automobile; or
 - (b) liability that, directly or indirectly, arises from or occurs in connection with the use or operation of a leased or rented automobile.
- (2) Except as provided in subsection (3), insurance available under a contract evidenced by an owner’s policy issued to a lessor or renter is first loss insurance.
- (3) Subsection (2) does not apply if there is insurance available under any of the following contracts:
- (a) a contract evidenced by a motor vehicle liability policy under which the lessee or rentee of the automobile is entitled to indemnity as an insured named in the contract; or
 - (b) a contract evidenced by a motor vehicle liability policy under which the driver of the leased or rented automobile is entitled to indemnity as any of the following:
 - (i) an insured named in an approved standard policy form (NSPF 6) for non-owned automobiles that is part of the contract,
 - (ii) an insured named in the contract,
 - (iii) the spouse or adult interdependent partner of an insured named in the contract who resides with that insured,
 - (iv) an unnamed insured.
- (4) Subject to subsection (5), if subsection (3) applies, then the priority of pay among insurers is as follows:
- (a) insurance described in subclause (3)(b)(i) is first loss insurance;
 - (b) insurance described in clause (3)(a) is excess insurance to the insurance identified as first loss insurance in clause (a);

- (c) insurance described in subclause (3)(b)(ii) is excess insurance to insurance identified as excess in clause (b);
 - (d) insurance described in subclause (3)(b)(iii) is excess insurance to insurance identified as excess in clause (c);
 - (e) insurance described in subclause (3)(b)(iv) is excess insurance to insurance identified as excess in clause (d);
 - (f) insurance described in subsection (2) is excess insurance to insurance described in subsection (3).
- (5) If more than 1 person is entitled to indemnity under a contract evidenced by a single motor vehicle liability policy, each person is deemed, for the purposes of subsection (4), to be entitled to indemnity under a separate contract evidenced by a motor vehicle liability policy.
- (6) If an insurer under a contract described in subsection (3) fails to respond to a claim or civil action on behalf of a lessee, rentee or driver,
- (a) an insurer under a contract described in subsection (2) must respond to the claim; and
 - (b) the insurer under a contract described in subsection (3) who failed to respond is liable to indemnify all of the following for any liability, costs and expenses incurred as a result of the failure:
 - (i) any insurer who responds to the claim or civil action under clause (a),
 - (ii) any insurer who responds to the claim or civil action under a contract described in subsection (3), if the insurance described in the contract of the insurer who responds is excess insurance in accordance with subsection (4) to the insurance available under the contract of the insurer who fails to respond.

Rateable proportion applies if priority not determined under Section 4

5 If more than 1 insurer under contracts described in these regulations is required to respond to a claim or civil action on behalf of a lessee, rentee or driver and the priority among the insurance available under those contracts is not determined by Section 4, each insurer is liable only for its rateable proportion, as defined in subsection 148(3) of the Act, of any liability, expense, loss or damage.

Acknowledging response to claim

6 An insurer who responds to a claim or civil action under a contract described in subsection 4(3) must acknowledge in writing to an insurer under a contract described in subsection 4(2) that the first-mentioned insurer is responding to a claim or civil action on behalf of the lessee, rentee or driver.

Rights of unnamed insured

7 Despite Section 118 of the Act respecting the rights of unnamed insured, a person insured by but not named in an owner's policy issued to a lessor or renter may recover indemnity only to the maximum amount for which the lessor or renter is liable in respect of the same incident in its capacity as lessor or renter as determined under subsection 148D(4) of the Act.

Public passenger vehicle exemption

8 Subsection 148D(4) of the Act does not apply in respect of a motor vehicle that is a public passenger vehicle as defined in the *Motor Carrier Act*.

N.S. Reg. 187/2013

Made: February 27, 2013

Filed: March 28, 2013

Fish Harvester Organizations Support Regulations

Order dated February 27, 2013

Regulations made by the Minister of Fisheries and Aquaculture pursuant to Section 19 of the *Fish Harvester Organizations Support Act***In the matter of Section 19 of Chapter 36 of the Acts of 2011,
the *Fish Harvester Organizations Support Act*****- and -****In the matter of Regulations Respecting
Fish Harvester Organizations Support****Order**

I, Sterling Belliveau, Minister of Fisheries and Aquaculture for the Province of Nova Scotia, under Section 19 of Chapter 36 of the Acts of 2011, the *Fish Harvester Organizations Support Act*, hereby

- (a) repeal the regulations respecting fisheries organizations support, N.S. Reg. 170/96, made by the Governor in Council by Order in Council 96-860 dated November 19, 1996, under the *Fisheries Organizations Support Act*; and
- (b) make new regulations respecting fish harvester organizations support in the form set forth in the attached Schedule "A".

The repeal and making of regulations referred to above are effective on and after April 1, 2013.

Dated and made at Halifax, Halifax Regional Municipality, Nova Scotia, Feb. 27, 2013.

Sgd.: *Sterling Belliveau*
Honourable Sterling Belliveau
Minister of Fisheries and Aquaculture

Schedule "A"**Regulations Respecting Fish Harvester Organizations Support
made by the Minister of Fisheries and Aquaculture under
Section 19 of Chapter 36 of the Acts of 2011,
the *Fish Harvester Organizations Support Act*****Citation**

1 These regulations may be cited as the *Fish Harvester Organizations Support Regulations*.

Definitions

2 In these regulations,

"Act" means the *Fish Harvester Organizations Support Act*;

“annual dues” means the annual dues required by subsection 8(2) of the Act to be paid by a licence holder in a region represented by an accredited organization;

“member”, in relation to an organization, means a licence holder who is a member of the organization, unless the context otherwise requires;

“vote” means a vote conducted under subsection 7(3) of the Act among licence holders in a region with respect to representation of the licence holders by an accredited organization.

Regions

- 3** (1) In this Section, “Lobster Fishing Area” means a Lobster Fishing Area as illustrated and enumerated in the *Atlantic Fishery Regulations, 1985* under the *Fisheries Act* (Canada);
- (2) The Province is divided into 6 regions, described as follows and as shown on the map attached as Schedule A:
- (a) Region 1, Gulf Nova Scotia: the coast from the Gulf-Nova Scotia-New Brunswick border to the Inverness-Victoria county line;
 - (b) Region 2, Cape Breton Atlantic: the coast from the Inverness-Victoria county line to the Canso Causeway;
 - (c) Region 3, Eastern Shore: the coast from the Canso Causeway to the mouth of the Sackville River in Halifax Harbour;
 - (d) Region 4, South Shore: the coast from the mouth of the Sackville River in Halifax Harbour to the boundary between Lobster Fishing Areas 33 and 34;
 - (e) Region 5, Southwest: the coast from the boundary between Lobster Fishing Areas 33 and 34 to the boundary between Lobster Fishing Areas 34 and 35;
 - (f) Region 6, Fundy: the coast from the boundary between Lobster Fishing Areas 34 and 35 to the New Brunswick border.

Appointment and functions of Registrar

- 4** (1) A Registrar must be an employee of the Government of Nova Scotia or, if appointed to represent a particular region, any other person whom the Minister considers appropriate.
- (2) A Registrar, at the direction of the Minister, must perform all of the following duties:
- (a) receive registration information and annual dues payable by licence holders under subsection 14(1) of the Act;
 - (b) disburse registration information and annual dues received from each licence holder to the accredited organization identified by the licence holder or, if no organization is identified, as directed by the Minister under clause 14(3)(c) of the Act;
 - (c) maintain a registry of licence holders and the accredited organizations to which they belong;
 - (d) provide the Minister with details of any outstanding annual dues that are owed;
 - (e) any additional duties assigned by the Minister.

Threshold of required eligible votes

5 For the licence holders in a region to be represented by an accredited organization, the threshold of required eligible votes is 51% in favour, with at least 50% of the licence holders in the region having cast valid ballots.

Eligibility to vote

- 6** (1) A licence holder is eligible to vote in the region to which the licence holder customarily returns from fishing.
- (2) The Department must compile a list of eligible voters for each region and make the list available so that licence holders in the region have sufficient time to review the list before a vote is conducted.
- (3) A licence holder whose name is not on the list of eligible voters may apply in writing to the Minister to have their name added to the list.

Conducting vote

- 7** (1) Voting must be conducted at the time determined by the Minister.
- (2) The Department must send a notice outlining the voting process to each licence holder whose name is on the list of eligible voters for the region.
- (3) Voting may be conducted by ballot box, registered mail, telephone, or any other method allowing for maximum participation, as determined by the Minister.
- (4) Once a vote is held, no further vote may be conducted in the same region for a period of at least 24 months.
- (5) The Minister may appoint a person to observe the voting process and to report to the Minister on it.

Public notice and invitation following affirmative vote

- 8** (1) The public notice required by subsection 8(3) of the Act following an affirmative vote must be published
- (a) at least once in each of 2 consecutive weeks in a newspaper having general circulation in areas in which, in the opinion of the Minister, the notice is likely to come to the attention of licence holders in the region; and
- (b) in 1 issue of the Royal Gazette Part I.
- (2) The invitation to organizations to apply for accreditation required by subsection 8(3) of the Act must be in the form of a letter signed by the Minister.

Deadline for payment of annual dues

- 9** (1) Except as provided in subsection (2) for the first annual dues payable, annual dues must be paid to a Registrar on or before September 1 in each year.
- (2) The first annual dues that are payable in a region following an affirmative vote must be either prorated or waived, at the Minister's discretion, as follows:
- (a) prorated on the basis of the period of time between the date the vote was conducted in the region and August 31 in the same year; or
- (b) waived so that the first annual dues are payable by September 1 of the following year.

Exempted licence holders

- 10** (1) A licence holder who demonstrates to the satisfaction of the Minister that no existing accredited organization adequately represents the licence holder's interests is exempt from the requirement to pay annual dues.
- (2) A licence holder may request an exemption by applying in writing to the Minister.

Applying for designation as accredited organization

- 11** To be designated as an accredited organization for a region following an affirmative vote in the region, an organization must
- (a) meet the accreditation criteria set out in Section 12 and, if applicable, Section 13; and
 - (b) apply to the Minister in the manner set out in Section 14 within the following applicable time period:
 - (i) for an organization that existed at the time the voting was conducted, no later than 90 days after the date the results of the vote are published,
 - (ii) for an organization that did not yet exist at the time the voting was conducted, at any time following the date the results of the vote are published.

Accreditation criteria

- 12** For the purposes of subsection 9(1) of the Act, all of the following are prescribed as the criteria to be met by an accredited organization:
- (a) the primary purpose of the organization is to represent its members;
 - (b) each member is required to pay at least \$100 in annual dues;
 - (c) the organization maintains a duly elected executive composed of
 - (i) a president,
 - (ii) a vice-president,
 - (iii) a secretary and a treasurer, or a secretary-treasurer, and
 - (iv) a board of directors;
 - (d) the organization has established and maintains a regular reporting mechanism and can demonstrate that the reporting mechanism is being actively used to communicate with and receive input from the organization's members;
 - (e) the organization has made all required filings and registrations with the Registry of Joint Stock Companies either as a society under the *Societies Act* or as a limited company incorporated under the *Companies Act* and is in good standing with the Registry of Joint Stock Companies;
 - (f) unless designated on a special sector basis as set out in subsection (3), the organization has, in each region represented by the organization, a membership of at least 100 licence holders or 15% of the licence holders in the region, whichever is the lesser number.

Accreditation criteria for designation on special sector basis

- 13** (1) An organization that meets all of the accreditation criteria prescribed in Section 12 except for the minimum membership criteria in clause 12(f) may apply for designation as an accredited organization on a special sector basis.
- (2) To be designated as an accredited organization on a special sector basis, an organization must demonstrate to the Minister's satisfaction that it represents a unique industry sector by meeting at least 1 of the following criteria:
- (a) the organization has been recognized by the Department of Fisheries and Oceans (Canada) or the Province as representing a unique industry sector;
 - (b) the members of the organization are geographically isolated;
 - (c) the organization represents only members in the region who fish for a specific species or use a specific type of fishing gear and has a membership of 25 licence holders or 80% of the licence holders in the region, whichever is the lesser number;
 - (d) the membership is unique and separate from general multi-species enterprises and other sectors of the fishery;
 - (e) if the organization represents members who fish for a specific species, each member holds a licence for that species;
 - (f) if the organization represents members who use a specific type of fishing gear, each member uses that type of fishing gear;
 - (g) the membership cannot be effectively represented by any other accredited organization.

Designation application form and fee

- 14** (1) An application for designation as an accredited organization must be in writing and must include all of the following information about the organization:
- (a) its name and address;
 - (b) a statement of its purpose;
 - (c) the names and addresses of its executive officers;
 - (d) the reporting mechanism established and maintained as required by clause 12(d);
 - (e) proof that the organization has made all required filings and registrations with the Registry of Joint Stock Companies either as a society under the *Societies Act* or as a limited company incorporated under the *Companies Act* and is in good standing with the Registry of Joint Stock Companies;
 - (f) a statement of the amount of the annual dues that it charges;
 - (g) a list of the names and civic addresses of all of its members.
- (2) An application must be accompanied by a non-refundable fee of \$200.

Maintaining designation as accredited organization

15 To maintain its designation as an accredited organization, an organization must submit all of the following to the Minister in writing on or before December 1 in each year:

- (a) a current list of its members;
- (b) a list of its current executive and board members;
- (c) proof demonstrating active communication and opportunity for input as required by clause 12(d);
- (d) proof that the organization has made all required filings and registrations with the Registry of Joint Stock Companies and is in good standing with the Registry of Joint Stock Companies.

Organization accreditation fee

- 16** (1) Except as provided in subsection (2) for the first annual accreditation fee payable by the organization, an accredited organization must pay to the Minister an annual accreditation fee of \$20 per member, or \$1000, whichever is less, on or before December 1.
- (2) The first annual accreditation fee payable by an accredited organization on becoming designated must be either prorated or waived, at the Minister's discretion, as follows:
- (a) prorated on the basis of the period of time between the date of the designation and November 30 in the same year; or
 - (b) waived so that the first annual fees are payable by December 1 of the following year.
- (3) An accredited organization that is designated in more than 1 region is not required to pay an accreditation fee for the additional designation.

Transition

17 (1) In this Section,

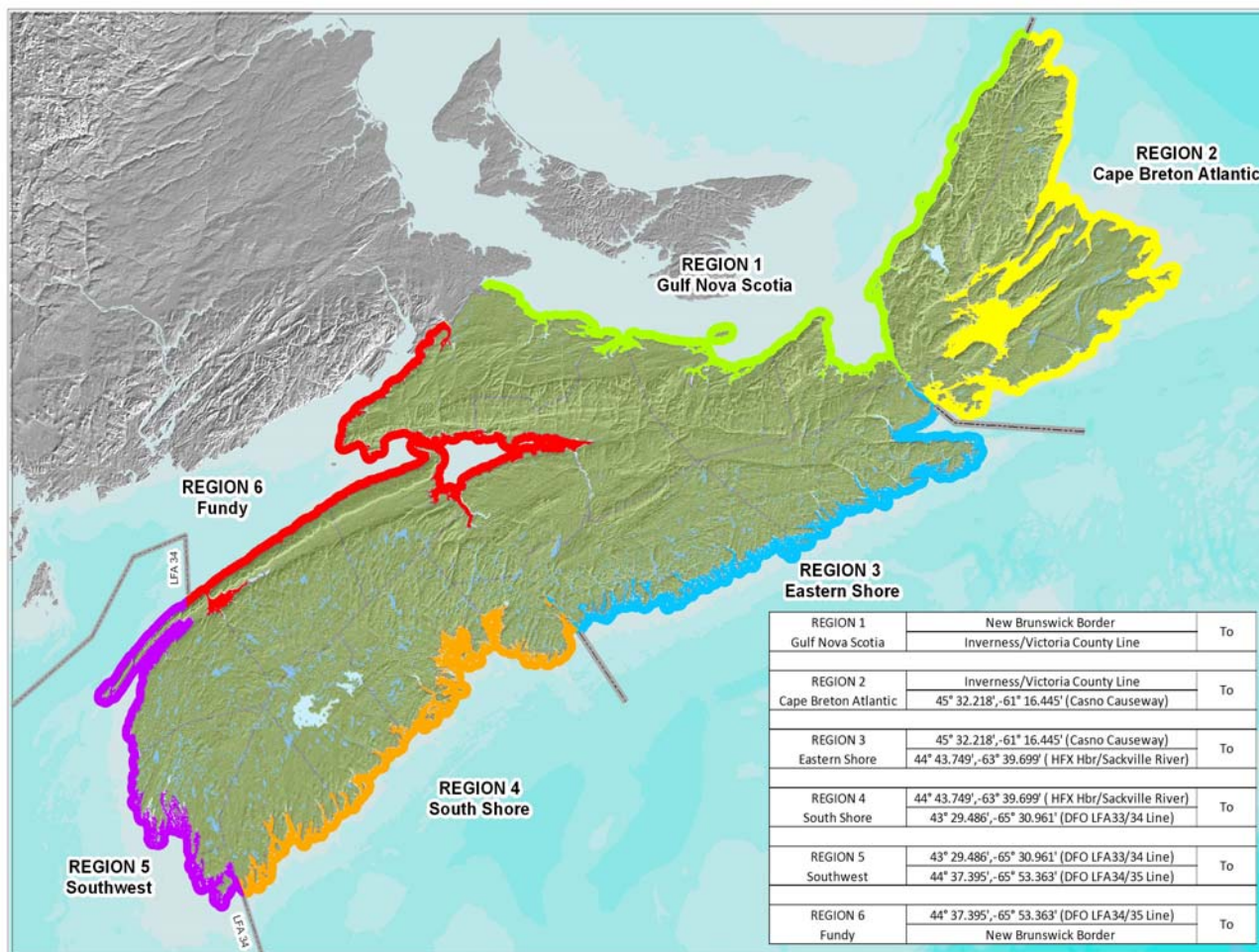
“former Act” means Chapter 6 of the Acts of 1995-96, the *Fisheries Organizations Support Act*;

“former regulations” means the regulations respecting support for fisheries organizations, N.S. Reg. 170/96, made by the Governor in Council by Order in Council 96-860 dated November 19, 1996.

- (2) An affirmative vote conducted in a region under the former Act is recognized as a vote in favour of having the region represented by an accredited organization under the Act and these regulations.
- (3) An organization that on the coming into force of these regulations is an accredited organization under the former regulations continues as an accredited organization under the Act and these regulations.

Schedule A

Nova Scotia *Fish Harvester Organizations Support Act* : Regions



N.S. Reg. 188/2013

Made: March 28, 2013

Filed: April 2, 2013

Prescribed Petroleum Products Prices

Order dated March 28, 2013
made by the Nova Scotia Utility and Review Board
pursuant to Section 14 of the *Petroleum Products Pricing Act*
and Sections 16 to 19 of the *Petroleum Products Pricing Regulations*

Order**NSUARB-GAS-W-13-13****In the Matter of the *Petroleum Products Pricing Act*****- and -**

**In the Matter of Prescribing Prices for Petroleum Products
pursuant to Section 14 of the *Petroleum Products Pricing Act* and
Sections 16 to 19 of the *Petroleum Products Pricing Regulations***

Before: Roberta J. Clarke, Q.C., Member**Order**

Whereas the purpose of the *Petroleum Products Pricing Regulations* is to ensure just and reasonable prices for specified petroleum products taking into consideration the objectives of preserving the availability of such products in rural areas, stabilizing prices of such products and minimizing the variances in prices of such products across the Province;

And whereas the Nova Scotia Utility and Review Board (“Board”) considered the manner in which it would proceed to set petroleum prices in its decision, 2006 NSUARB 108, issued on October 16, 2006;

And whereas the Board revised the retail margin and transportation allowance effective January 6, 2012, in its decision, 2011 NSUARB 181, issued on November 23, 2011;

And whereas the Board revised the wholesale margin effective January 4, 2013, in its decision 2012 NSUARB 213, issued on December 12, 2012;

And whereas the average of the average of the daily high and low reported product prices (in Canadian cents) for the week ended March 27, 2013, are:

Grade 1 Regular gasoline	78.3¢ per litre
Ultra-low-sulfur diesel oil	79.9¢ per litre

Now therefore the Board prescribes the benchmark prices for petroleum products to be:

Gasoline:	
Grade 1	78.3¢ per litre
Grade 2	81.3¢ per litre
Grade 3	84.3¢ per litre
Ultra-low-sulfur diesel oil	79.9¢ per litre

And now therefore the Board has determined, based on historical data regarding price changes and to achieve revenue neutrality, it is appropriate to apply, and the Board so orders, forward averaging corrections of:

Gasoline:	minus 0.3¢ per litre
Ultra-low-sulfur diesel oil:	minus 0.2¢ per litre

And whereas a winter blending adjustment of plus 1.4¢ per litre is required for ultra-low-sulfur diesel oil;

And now therefore the Board prescribes the prices for petroleum products as set forth in Schedule “A” effective on and after 12:01 a.m., March 29, 2013.

Dated at Halifax, Nova Scotia, this 28th day of March, 2013.

Sgd: *Elaine Wagner*
Clerk of the Board

Schedule "A"

**Prices Prescribed for Petroleum Products
under the *Petroleum Products Pricing Act* and the
Petroleum Products Pricing Regulations
effective on and after 12:01 a.m. on March 29, 2013**

Nova Scotia Petroleum Price Schedule								
Petroleum Prices in Cents/Litre					Self-Service Pump Prices		Full-Service Pump Prices	
					(Pump Prices includes 15% HST)			
	Base Wholesale Price	Fed. Excise Tax	Prov. Tax	Wholesale Selling Price	Min	Max	Min	Max
Zone 1								
Regular Unleaded	85.1	10.0	15.5	110.6	132.7	134.8	132.7	999.9
Mid-Grade Unleaded	88.1	10.0	15.5	113.6	136.2	138.2	136.2	999.9
Premium Unleaded	91.1	10.0	15.5	116.6	139.6	141.7	139.6	999.9
Ultra-Low-Sulfur Diesel	88.2	4.0	15.4	107.6	129.3	131.3	129.3	999.9
Zone 2								
Regular Unleaded	85.6	10.0	15.5	111.1	133.3	135.4	133.3	999.9
Mid-Grade Unleaded	88.6	10.0	15.5	114.1	136.7	138.8	136.7	999.9
Premium Unleaded	91.6	10.0	15.5	117.1	140.2	142.3	140.2	999.9
Ultra-Low-Sulfur Diesel	88.7	4.0	15.4	108.1	129.8	131.9	129.8	999.9
Zone 3								
Regular Unleaded	86.0	10.0	15.5	111.5	133.7	135.8	133.7	999.9
Mid-Grade Unleaded	89.0	10.0	15.5	114.5	137.2	139.3	137.2	999.9
Premium Unleaded	92.0	10.0	15.5	117.5	140.6	142.7	140.6	999.9
Ultra-Low-Sulfur Diesel	89.1	4.0	15.4	108.5	130.3	132.4	130.3	999.9
Zone 4								
Regular Unleaded	86.1	10.0	15.5	111.6	133.9	135.9	133.9	999.9
Mid-Grade Unleaded	89.1	10.0	15.5	114.6	137.3	139.4	137.3	999.9
Premium Unleaded	92.1	10.0	15.5	117.6	140.8	142.8	140.8	999.9
Ultra-Low-Sulfur Diesel	89.2	4.0	15.4	108.6	130.4	132.5	130.4	999.9
Zone 5								
Regular Unleaded	86.1	10.0	15.5	111.6	133.9	135.9	133.9	999.9
Mid-Grade Unleaded	89.1	10.0	15.5	114.6	137.3	139.4	137.3	999.9
Premium Unleaded	92.1	10.0	15.5	117.6	140.8	142.8	140.8	999.9
Ultra-Low-Sulfur Diesel	89.2	4.0	15.4	108.6	130.4	132.5	130.4	999.9
Zone 6								
Regular Unleaded	86.8	10.0	15.5	112.3	134.7	136.7	134.7	999.9
Mid-Grade Unleaded	89.8	10.0	15.5	115.3	138.1	140.2	138.1	999.9
Premium Unleaded	92.8	10.0	15.5	118.3	141.6	143.6	141.6	999.9
Ultra-Low-Sulfur Diesel	89.9	4.0	15.4	109.3	131.2	133.3	131.2	999.9

N.S. Reg. 189/2013

Made: April 4, 2013

Filed: April 5, 2013

Prescribed Petroleum Products Prices

Order dated April 4, 2013
made by the Nova Scotia Utility and Review Board
pursuant to Section 14 of the *Petroleum Products Pricing Act*
and Sections 16 to 19 of the *Petroleum Products Pricing Regulations*

Order**NSUARB-GAS-W-13-14****In the Matter of the *Petroleum Products Pricing Act*****- and -**

**In the Matter of Prescribing Prices for Petroleum Products
pursuant to Section 14 of the *Petroleum Products Pricing Act* and
Sections 16 to 19 of the *Petroleum Products Pricing Regulations***

Before: Kulvinder S. Dhillon, P. Eng., Member**Order**

Whereas the purpose of the *Petroleum Products Pricing Regulations* is to ensure just and reasonable prices for specified petroleum products taking into consideration the objectives of preserving the availability of such products in rural areas, stabilizing prices of such products and minimizing the variances in prices of such products across the Province;

And whereas the Nova Scotia Utility and Review Board (“Board”) considered the manner in which it would proceed to set petroleum prices in its decision, 2006 NSUARB 108, issued on October 16, 2006;

And whereas the Board revised the retail margin and transportation allowance effective January 6, 2012, in its decision, 2011 NSUARB 181, issued on November 23, 2011;

And whereas the Board revised the wholesale margin effective January 4, 2013, in its decision 2012 NSUARB 213, issued on December 12, 2012;

And whereas the average of the average of the daily high and low reported product prices (in Canadian cents) for the week ended April 3, 2013, are:

Grade 1 Regular gasoline	78.6¢ per litre
Ultra-low-sulfur diesel oil	81.7¢ per litre

Now therefore the Board prescribes the benchmark prices for petroleum products to be:

Gasoline:	
Grade 1	78.6¢ per litre
Grade 2	81.6¢ per litre
Grade 3	84.6¢ per litre
Ultra-low-sulfur diesel oil	81.7¢ per litre

And now therefore the Board has determined, based on historical data regarding price changes and to achieve revenue neutrality, it is appropriate to apply, and the Board so orders, forward averaging corrections of:

Gasoline:	minus 1.4¢ per litre
Ultra-low-sulfur diesel oil:	minus 0.7¢ per litre

And now therefore the Board prescribes the prices for petroleum products as set forth in Schedule “A” effective on and after 12:01 a.m., April 5, 2013.

Dated at Halifax, Nova Scotia, this 4th day of April, 2013.

Sgd: Elaine Wagner
Clerk of the Board

Schedule "A"

**Prices Prescribed for Petroleum Products
under the *Petroleum Products Pricing Act* and the
Petroleum Products Pricing Regulations
effective on and after 12:01 a.m. on April 5, 2013**

Nova Scotia Petroleum Price Schedule								
Petroleum Prices in Cents/Litre					Self-Service Pump Prices		Full-Service Pump Prices	
					(Pump Prices includes 15% HST)			
	Base Wholesale Price	Fed. Excise Tax	Prov. Tax	Wholesale Selling Price	Min	Max	Min	Max
Zone 1								
Regular Unleaded	84.3	10.0	15.5	109.8	131.8	133.9	131.8	999.9
Mid-Grade Unleaded	87.3	10.0	15.5	112.8	135.2	137.3	135.2	999.9
Premium Unleaded	90.3	10.0	15.5	115.8	138.7	140.8	138.7	999.9
Ultra-Low-Sulfur Diesel	88.2	4.0	15.4	107.6	129.3	131.3	129.3	999.9
Zone 2								
Regular Unleaded	84.8	10.0	15.5	110.3	132.4	134.4	132.4	999.9
Mid-Grade Unleaded	87.8	10.0	15.5	113.3	135.8	137.9	135.8	999.9
Premium Unleaded	90.8	10.0	15.5	116.3	139.3	141.3	139.3	999.9
Ultra-Low-Sulfur Diesel	88.7	4.0	15.4	108.1	129.8	131.9	129.8	999.9
Zone 3								
Regular Unleaded	85.2	10.0	15.5	110.7	132.8	134.9	132.8	999.9
Mid-Grade Unleaded	88.2	10.0	15.5	113.7	136.3	138.3	136.3	999.9
Premium Unleaded	91.2	10.0	15.5	116.7	139.7	141.8	139.7	999.9
Ultra-Low-Sulfur Diesel	89.1	4.0	15.4	108.5	130.3	132.4	130.3	999.9
Zone 4								
Regular Unleaded	85.3	10.0	15.5	110.8	132.9	135.0	132.9	999.9
Mid-Grade Unleaded	88.3	10.0	15.5	113.8	136.4	138.5	136.4	999.9
Premium Unleaded	91.3	10.0	15.5	116.8	139.8	141.9	139.8	999.9
Ultra-Low-Sulfur Diesel	89.2	4.0	15.4	108.6	130.4	132.5	130.4	999.9
Zone 5								
Regular Unleaded	85.3	10.0	15.5	110.8	132.9	135.0	132.9	999.9
Mid-Grade Unleaded	88.3	10.0	15.5	113.8	136.4	138.5	136.4	999.9
Premium Unleaded	91.3	10.0	15.5	116.8	139.8	141.9	139.8	999.9
Ultra-Low-Sulfur Diesel	89.2	4.0	15.4	108.6	130.4	132.5	130.4	999.9
Zone 6								
Regular Unleaded	86.0	10.0	15.5	111.5	133.7	135.8	133.7	999.9
Mid-Grade Unleaded	89.0	10.0	15.5	114.5	137.2	139.3	137.2	999.9
Premium Unleaded	92.0	10.0	15.5	117.5	140.6	142.7	140.6	999.9
Ultra-Low-Sulfur Diesel	89.9	4.0	15.4	109.3	131.2	133.3	131.2	999.9

N.S. Reg. 190/2013

Made: April 9, 2013

Filed: April 9, 2013

Proclamation, S. 5, S.N.S. 2012, c. 6

Order in Council 2013-136 dated April 9, 2013
Proclamation made by the Governor in Council
pursuant to Section 5 of the
Good Forestry Management on Crown Land Act

The Governor in Council on the report and recommendation of the Minister of Natural Resources dated March 5, 2013, and pursuant to Section 5 of Chapter 6 of the Acts of 2012, the *Good Forestry Management on Crown Land Act*, is pleased to order and declare by proclamation that Section 4 of Chapter 6 of the Acts of 2012, the *Good Forestry Management on Crown Land Act*, do come into force on and not before April 9, 2013.

PROVINCE OF NOVA SCOTIA

sgd: **J. J. Grant**

G/S

ELIZABETH THE SECOND, by the Grace of God,
of the United Kingdom, Canada and Her Other
Realms and Territories, Queen, Head of the
Commonwealth, Defender of the Faith.

TO ALL TO WHOM THESE PRESENTS SHALL COME, OR WHOM THE SAME MAY IN ANY WISE
CONCERN,

GREETING:

A PROCLAMATION

WHEREAS in and by Section 5 of Chapter 6 of the Acts of 2012, the *Good Forestry Management on Crown Land Act*, it is enacted as follows:

- 5 Section 4 comes into force on such day as the Governor in Council orders and declares by proclamation.

AND WHEREAS it is deemed expedient that Section 4 of Chapter 6 of the Acts of 2012, the *Good Forestry Management on Crown Land Act*, do come into force on and not before April 9, 2013;

NOW KNOW YE THAT WE, by and with the advice of the Executive Council of Nova Scotia, do by this Our Proclamation order and declare that Section 4 of Chapter 6 of the Acts of 2012, the *Good Forestry Management on Crown Land Act*, do come into force on and not before April 9, 2013, of which all persons concerned are to take notice and govern themselves accordingly.

IN TESTIMONY WHEREOF We have caused these
our Letters to be made Patent and the
Great Seal of Nova Scotia to be
hereunto affixed.

WITNESS, Our Trusty and Well Beloved His Honour
Brigadier-General, the Honourable J. J. Grant
(Retired), Lieutenant Governor of the Province of
Nova Scotia.

AT Our Government House in the Halifax Regional Municipality, this 9th day of April in the year of Our Lord two thousand and thirteen and in the sixty-second year of Our Reign.

BY COMMAND:

sgd: Ross Landry
Provincial Secretary
Minister of Justice and Attorney General

N.S. Reg. 191/2013

Made: April 9, 2013

Filed: April 9, 2013

Moose Hunting Regulations

Order in Council 2013-137 dated April 9, 2013
Amendment to regulations made by the Governor in Council
pursuant to subsection 113(1) of the *Wildlife Act*

The Governor in Council on the report and recommendation of the Minister of Natural Resources dated March 14, 2013, and pursuant to subsection 113(1) of Chapter 504 of the Revised Statutes of Nova Scotia, 1989, the *Wildlife Act*, is pleased to amend the *Moose Hunting Regulations*, N.S. Reg. 90/88, made by the Governor in Council by Order in Council 88-405 dated April 20, 1988, to make changes to Zone 5, in the manner set forth in Schedule "A" attached to and forming part of the report and recommendation, effective on and after April 9, 2013.

Schedule "A"

**Amendment to the *Moose Hunting Regulations*
made by the Governor in Council under subsection 113(1)
of Chapter 504 of the Revised Statutes of Nova Scotia, 1989,
the *Wildlife Act***

Subsection 5(1B) of the *Moose Hunting Regulations*, N.S. Reg. 90/88, made by the Governor in Council by Order in Council 88-405 dated April 20, 1988, is amended by

- (a) striking out the period at the end of clause (b) and substituting a semicolon; and
- (b) adding the following clauses immediately after clause (b):
 - (c) effective until November 7, 2015, the period from the fourth Monday in October to the following Saturday in any year;
 - (d) effective until November 7, 2015, the period from the Monday following the fourth Monday in October to the following Saturday in any year.